

FACE SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

RECEIVED FOR FILING

OCT 31 1974

Office of Administrative Hearings

ENDORSED

APPROVED FOR FILING
(Gov. Code 11380.2)

OCT 31 1974

Office of Administrative Hearings

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Copy below is hereby certified to be a true
and correct copy of regulations adopted, or
amended, or an order of repeal by:

Benefit Payments

(Agency)

Dated: October 30, 1974

By: *David B. Swapp*

Director

(Title)

FILED

In the office of the Secretary of State
of the State of California

OCT 31 1974

At 9:30 o'clock a.m.

EDMUND G. BROWN, Jr., Secretary of State

By: *Margaret R. Herdberger*
Deputy Secretary of State

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After proceedings had in accordance with the provisions of the Administrative Procedure Act (Gov. Code, Title 2, Div. 3, Part I, Chapter 4.5) and pursuant to the authority vested by Sections 10552, 10553, 10554 and 10604 of the Welfare and Institutions Code, the Department of Social Welfare hereby repeals, amends, and adopts regulations referred to in Title 22, California Administrative Code, as hereinafter set forth.

This order shall take effect on December 1, 1974 after its filing with the Secretary of State as provided in Section 11422 of the Government Code.

Adopt: Division 63-0000 Food Stamp Manual
Chapter 63-1000
63-2000
63-3000
63-4000
63-5000
63-7000

The following sections are to be repealed effective December 1, 1974:

Repeal: Division 63 Food Stamp Plans
Chapters 63-100 Purpose and Objective
63-200 Program Responsibilities and Requirements
63-300 Eligibility
63-400 Application, Certification and Recertification
63-500 Basis of Coupon Issuance
63-600 Issuance and Sale
63-700 Inventory, Accountability and Reporting Requirements

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**CONTINUATION SHEET
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(Pursuant to Government Code Section 11380.1)

CHAPTER 63-1000 PROGRAM RESPONSIBILITIES AND REQUIREMENTS

63-1001 COUNTY WELFARE DEPARTMENT TO ADMINISTER PROGRAM

63-1001

The county welfare department shall be designated as the local agency to carry out local administrative responsibility for operation of the Food Stamp Program, subject to supervision of the State Department of Benefit Payments (DBP) and regulations and procedures adopted by the Department.

63-1002 DELEGATION IN REGARD TO RECEIPT, ISSUANCE, AND SALE OF FOOD STAMPS

63-1002

The county board of supervisors or county welfare department may enter into agreements or contracts with responsible local public or private agencies, to order, receive, and issue food coupon books according to the requirements of the Federal-State Plan. Though receipt and issuance of stamps and preparation of accountability reports can be delegated to issuance agents if approved by State and Federal agencies, final responsibility for submission of required federal reports in connection with inventory and sale of food coupon books cannot be delegated.

63-1003 FEDERALLY DONATED FOODS UNDER THE DISASTER ACT OF 1974

63-1003

The board of supervisors of each county has the authority to request from the United States Department of Agriculture the simultaneous operation of the federally donated foods program under the Disaster Relief Act of 1974 - PL 93-288, as amended, and any other enabling federal law. (See Chapter 63-7000.)

63-1004 ADHERENCE TO FEDERAL-STATE PLAN OF OPERATION

63-1004

The county welfare department shall execute an agreement with the State Department of Benefit Payments, agreeing to administer the Food Stamp Program according to the Federal-State Plan.

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63-1005 FAILURE TO COMPLY

63-1005

Determination by Food and Nutrition Service of the U.S. Department of Agriculture, or by the State Department of Benefit Payments, through audits or reviews of operations, that a county is failing to comply with the Federal-State Plan or the agreement executed in accordance with 63-1004 shall be cause for suspending the program in the county. An opportunity to be heard before the Director shall be provided prior to any suspension.

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63-1006 THE FEDERAL AGENCY AND FEDERAL REQUIREMENTS

63-1006

The Food and Nutrition Service of the U. S. Department of Agriculture is the agency responsible for the Food Stamp Program at the federal level. A Plan of Operation by the state must meet the standards and regulations established by the federal agency. All program forms, procedures, policy interpretations, manual and handbook material need prior clearance with the federal agency. The FNS provides certain federal forms and an "officer in charge" for each food stamp county to handle grocers' approval and for compliance and liaison, and cooperative efforts with the county welfare agency in promotional activities and the development of nutrition education activities.

Reimbursement from federal funds (USDA) is made to counties for 62½ percent of all travel and fringe benefits and the time of the immediate supervisor nonassistance certification worker costs plus costs relating to certification of Nonassistance Households; Fair Hearing authorities and officials costs (including medical testimony, etc.) and quality control personnel. (Note that federal matching is claimed from the Department of Health, Education and Welfare for the certification of all Assistance Households, except General Relief Assistance Households.)

The Office of Audit which reports directly to the Secretary of Agriculture retains the auditing responsibility for not only the DBP operation of the FSP but also the county welfare departments for all the food programs under FNS. County personnel are expected to cooperate fully, providing such information and assistance as is required by representatives of the Office of Audit and the Federal Office of Investigation.

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(Pursuant to Government Code Section 11380.1)

63-1007 SINGLE STATE AGENCY TO ADMINISTER PROGRAM

63-1007

The federal law requires that the state agency administering federally matched public assistance programs, shall assume responsibility for the Food Stamp Program.

.1 Delegation to Counties

The state may (and under California law must) delegate administrative operations to the county welfare departments, but must retain program and supervisory responsibility. The county welfare departments may delegate to banks or other agent by means of a contract, certain responsibilities for the issuance and sale of coupons including maintaining the necessary fiscal and inventory controls and reporting.

.2 The county welfare department may not delegate its responsibility for certification, i.e., action on applications, determination of eligibility and the proper purchase and bonus amounts for stamps. Nor can the county totally divest itself of responsibility for required reports even though the data may be available only through the contracted issuing agency.

.3 The Food Stamp Management Bureau of the Department of Benefit Payments is responsible for submitting a State Plan of Operation, and for providing supervisory direction and consultative services to county administration. Additionally, the Bureau is responsible for preparing instructions, forms and guides to assure that certification of applicant households is carried out within the Federal-State Plan of Operation; that proper provision by the county is made for acceptance, storage, and protection of coupons after delivery; and that effective and efficient procedures are developed in regard to ordering and issuing stamps; as well as such controls, accounting, and statistical processes as are necessary. The Bureau also provides consultative help on administrative problems and training.

.4 In signing the Federal-State Plan, the Department of Benefit Payments has provided the required assurances to the Federal Government as to civil rights and nondiscrimination essentially as follows: That in administering the Food Stamp Program it will comply with the requirements in Section 18907 of the California Welfare and Institutions Code, and Part 15, Title 7, CFR of the Regulations of the U.S. Department of Agriculture (29FR16274) that no person shall, on the grounds of race, color, religious creed, national origin, or political belief be excluded from participation in, denied the benefits of, or otherwise be subject to discrimination under the Food Stamp Program. Further, the Department of Benefit Payments has assured the federal agency that counties will comply with these requirements, including such requirements in agreements or contracts with other agencies in connection with issuance of food stamps. The State and U.S. Government have the right to seek judicial enforcement of these provisions.

63-1008 RESPONSIBILITY OF THE COUNTY WELFARE DEPARTMENT

63-1008

~~Also~~ Promptly advise DBP whenever there is a change on any item listed in an earlier DFA 298 or its attachments.

.2 Procedures for direct mailing issuance and public assistance withholding shall be established on or before July 1, 1975, in conformance with AB 134.

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63-1008 RESPONSIBILITY OF THE COUNTY WELFARE DEPARTMENT (Continued) 63-1008

.3 Set up procedures and controls to:

Accomplish Food Stamp Program changes

Record changes

Accumulate statistical application data for the monthly DFA 296 and FNS 256.

Abstract and record administrative cost data as required for nonassistance certification claiming to USDA to record on the DFA 296.

Identify and accumulate information as to participating households and zero purchase for the FNS 256 report.

Control, identify and suspend continuous three-month nonparticipation (no stamp purchases).

Assure that the zero-purchase Home Visit requirement is met. See Section 63-2332.4. A "representative sampling" for validation of quality of certification should be part of the Quality Control plan. Home visits other than to a "representative sampling" or as provided in the referenced Section will only be required when the information provided by the applicant is unclear, inconsistent, incomplete or is otherwise deemed questionable by the eligibility worker.

Make necessary changes in the food stamp case when a change occurs in a public assistance case that affects the purchase requirement and/or eligibility of the household.

A change is always necessary when the number of persons in the certified household changes. A review of the effect on the shelter cost for any change of address is also necessary, as well as major household income changes when a member of the household is either entering or leaving employment and/or training, or a grant is terminated or granted.

Coordinate recording and forms where there are separate public assistance records on the same food stamp household, as this program operates on a consolidated household basis and adequate cross referencing is necessary.

Insure that recertifications are completed and recorded at required time for both Assistance Households and Nonassistance Households (pure and mixed).

Replace lost, stolen and incorrect authorizations in the current month by manual issuance, if necessary to avoid forced nonparticipation.

Plan procedures to facilitate the continuous participation of eligible households moving to another food stamp county (particularly where a public assistance grant transfer is involved). Also see Section 63-2421.

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63-1008 RESPONSIBILITY OF THE COUNTY WELFARE DEPARTMENT (Continued) 63-1008

4. Development of a comprehensive and continuing orientation and training/retraining program for existing and new staff, including NA and PA eligibility and service personnel. Assistance in developing and conducting training programs is available from DBP-FSM.

5. Nutrition Education Responsibility. Decide on how the county welfare department will carry out its federally advocated (FNS, USDA) responsibilities for the development of a nutrition education program or activity as an essential part of the Food Stamp Program for participants and other low-income households.

In order to achieve the goal of the Food Stamp Act, i.e., "to raise levels of nutrition among low income households," a Nutrition Education Program must be provided as a supplement to certification to ensure that participants utilize their increased food purchasing power to obtain those foods most needed in their diets.

Reference is also made to Public Social Services Manual Sections 30-204.61, .67, & .7, and 30-055 for services to public assistance recipients:

6. Coupon Issuance Responsibility. Counties are responsible for validating issuance data reported by contracted agents. Such validation will consist of reconciling coupon shipments, transfers and current inventories reported by agents to separately maintained county records. The counties must also verify that the total allotments, purchase requirements and bonus amounts on the ATP's reported as redeemed by the agent are in strict accordance with the issuance authorized according to county records. Corrected reports and records must be required from agents when the county is unable to verify their issuance, inventory and deposit data from county records and audit findings.

63-1009 RESPONSIBILITIES OF THE COUNTY WELFARE DEPARTMENT STAFF 63-1009

The success of the Food Stamp Program in meeting the objective of a more adequate diet for low-income households rests most heavily and directly on both the eligibility workers to determine and certify eligibility of food stamp Assistance Households and Nonassistance Households (pure and mixed) and the service workers to assist recipients in the maximum and best utilization of food stamps.

1. For Eligibility Determination Staff (both Public Assistance and Nonassistance)

- 11. Explaining the requirements of the program in simple understandable terms to encourage eligible low-income households to utilize this resource.
- 12. Process applications promptly and accurately.
- 13. Understanding the necessity of making interim food stamp changes when income or household membership changes to enable certified households to continue to purchase at the proper purchase requirement and coupon allotment.
- 14. Making timely food stamp initial certification and subsequent certifications when due to prevent termination of benefits to eligible households.

2. For Service Staff

- 21. Interpreting the program as a resource to recipients.
- 22. Providing help when needed in money management and consumer education either by counseling or referral, so that persons can regularly meet the purchase requirements demanded by their particular situation and better utilize their bonus stamps.

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63-1013 PERSONNEL STANDARDS

63-1013

Personnel responsible for the determination of, and decisions on, eligibility must by federal statutory requirements be under merit system standards with the same classification as used in the federally aided public assistance programs. Personnel who certify households in counties under the jurisdiction of the California Merit System shall be classified at least as an Eligibility Worker I (trainee) or Eligibility Worker II under the immediate supervision of at least a Social Worker III or a Social Service Supervisor I, or an equivalent supervisory position accepted for the supervision of Eligibility Workers in the federally aided public assistance programs.

Personnel in counties operating their own merit system or civil service systems will meet the same standards which are required of comparable personnel employed under the jurisdiction of the California State Merit System.

All personnel are to be given the same degree of responsibility, training and supervision that is provided persons similarly employed in the federally aided public assistance programs.

63-1014 ADMINISTRATIVE COST CLAIMING

63-1014

.1 Claiming Reimbursable Administrative Costs

Claims for reimbursement from the U.S. Department of Agriculture are made quarterly on Standard Form No. 1034. The original and two copies will be transmitted to the Claims Audit & Control Bureau of the Department of Benefit Payments for audit and approval with Forms DFA 323, 325, and 327 attached containing original signatures. The Department of Benefit Payments will prepare and transmit a consolidated claim to the USDA and distribute payments from USDA to the counties. Adjustments because of shortages in the issuing of stamps and for other reasons which will be communicated to the counties by DBP will be made on this claim. Form 1034 should not be submitted if county elects to waive the matching claim payments. In such cases, however, county should so advise the Department of Benefit Payments in writing, with a copy to Food and Nutrition Service.

.2 Reimbursable Food Stamp Activity

FNS reimbursement is at the rate of 62-1/2 percent of the sum of the direct salary, travel, and travel-related costs (including such fringe benefits as are normally paid by the county) of eligible personnel for such time as they are employed in the below listed activities.

- a. ~~Certification and recertification of Nonassistance Households.~~
- b. Quality control review and analysis to insure correct certification of Nonassistance Households.
- c. Computation of Non-Assistance food stamp budgets.

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63-1014 ADMINISTRATIVE COST CLAIMING (Continued)

63-1014

- d. Making medical determinations, and providing testimony on medical issues in DBP fair hearings.
- e. Attending training sessions or courses related to the Food Stamp Program activities listed above, a through d.
- f. Time spent in travel status necessary to the performance of the above listed activities a through e.

.3 Personnel Eligible for Federal Reimbursement

The following personnel are eligible for cost reimbursement under FNS matching authority.

- a. Personnel and their immediate supervisors making certification and recertification determinations for Nonassistance Households.
- b. Personnel making quality control reviews of Nonassistance Households whose job classifications are same as those for quality control personnel in the federally aided public assistance programs; their immediate supervisors, and statisticians and analysts necessary to analyze and make recommendations for improved program operations from information provided by quality control reviews.
- c. Budget clerks computing Non-Assistance food stamp budgets.
- d. Medically qualified persons who make medical determinations or provide testimony on medical issues in DBP fair hearings.

.4 Claiming Exceptions

- a. FNS will not reimburse counties for eligible costs which are borne by another federal agency; however, FNS will pay the balance of eligible costs borne by another federal agency, up to 62- $\frac{1}{2}$ percent of total eligible costs. For example, if another federal agency provides funding for 50 percent of a full-time food stamp certification worker's salary, FNS will only reimburse an amount equal to 50 percent of the worker's salary.
- b. FNS will not reimburse counties for any administrative costs related to food stamp issuance by issuing agents.
- c. Time spent by eligibility workers on mixed Non-Assistance cases must be charged to Non-Assistance and never to AFDC when form DFA 43, County Employee Eligibility Time Study, is completed by the eligibility worker.

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63- 1014 ADMINISTRATIVE COST CLAIMING (Continued)

63- 1014

.5 Claiming Administrative Costs for Assistance Households

All costs, including clerical, in connection with the determination of food stamp eligibility and certification of Assistance Households are included for reimbursement from the Department of Health, Education, and Welfare in the usual manner.

Care must be taken to avoid any duplication of claiming between the two federal agencies. The certification process ceases after issuance of the certification and the authorization to purchase food stamps.

.6 Computation of Claims

The amount of eligible costs for medically qualified persons who make medical determinations or provide testimony on medical issues in DEB fair hearings shall be determined on the basis of fees, for service rendered, submitted by such individuals.

Food stamp travel and travel-related costs are both reimbursable by FNS. Travel costs are the salary and fringe benefit costs of eligible personnel for time spent in travel status and the actual cost of transportation, for example, bus fare or mileage on an agency-owned car. Travel-related costs are those costs incidental to travel, that is, per diem paid the worker, or the actual cost of subsistence and lodging which is paid by the county.

FNS may increase any claim up to \$10 as a result of mathematical error. Mathematical errors resulting in increases of over \$10 must be submitted as corrected claims. Corrected claims may be submitted on a separate Form SF-1034 or with a quarterly claim. An explanation for the corrected claim must be attached.

.7 State Participation in Administrative Costs

Chapter 10, section 18906 was added to the W&I Code by AB 134 (which was approved by the governor Dec. 5, 1973.) This section provides for state participation, beginning 7-1-74 in county administrative costs connected with the Food Stamp Program.

For the 1974-75 fiscal year, and each year thereafter, each county's share toward the cost of the Food Stamp Program provided under this chapter shall be equivalent to its administrative costs in operating the Food Stamp Program under this chapter of the Surplus Commodity Program under Article 3, Chapter 3, Part 1 of Division 2 of the Education Code during calendar year 1973 less the federal share of the administrative costs of those programs.

.8 Additional Federal Participation in Administrative Costs

Public Law 93-347 will provide for 50% Federal participation in the administrative costs of the Food Stamp program including issuance costs. Financial Planning Bureau, Department of Benefit Payments, will issue to counties detailed information as it is developed.

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63-1015 STATISTICAL REPORTING

63-1015

.1 Programming and Codes

As the Food Stamp Program expands, uniform identification will be necessary when data is transferred to DBP electronic data processing. Using the Aid Category Master Chart, the code number selected for food stamps will be assigned from the 00 column and will be 09.

Programming and coding, additionally, must be able to provide the data required on revised Form DFA 296; and a method of preventing the issuance of ATP's after purchases are missed for three consecutive months.

Project Code - Unique nine digit code has been assigned each reporting office to be used on all documents-FNS 250 and FNS 282.

Example:

<u>State</u>	<u>Project Area</u>	<u>Reporting Office</u>
09	905	0900

The code appearing on the initial supply of forms is the assigned code to be used thereafter on all copies of Food Stamp Reports and documents.

.2 Statistical Summary Report, Form DFA 296

This form is required monthly by the Department of Benefit Payments and must be filed with the DBP -Program Information Bureau no later than 20 calendar days after the end of the reporting month.

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CHAPTER 63-2000 GENERAL PROVISIONS

63-2010 PURPOSE

63-2010

The purpose of the Food Stamp Program is to raise the nutritional level among low-income households whose limited food purchasing power contributes to hunger and malnutrition among members of such households. The process of determining the need for and the level of assistance is the certification procedure. The purpose of this manual is to provide the county welfare department with guidelines for certification procedures.

63-2011 PRUDENT PERSON CONCEPT

63-2011

The policies and procedures throughout this manual are intended to be a guide for food stamp certification and are broadly written within the limits imposed by the Food Stamp Act and Federal Regulations. The policies contained in this manual are intended to be sufficiently flexible to allow the eligibility worker (EW) to exercise reasonable judgment in executing his responsibilities. It is impossible to write a procedure that will cover every possible contingency that specific cases may present to the EW.

In this regard, the concept of the "prudent person" can be helpful to the EW. The term refers to the reasonableness of the judgments made by an individual in a given situation. In a court case, a person charged with negligence will try to show that his actions were the actions that any reasonable person would take in the same circumstances.

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63-2011 PRUDENT PERSON CONCEPT (Continued)

63-2011

In making a certification decision, the EW should ask himself if his judgment is reasonable, based on his experience and knowledge of the program. For example, if the client's shelter expenses as he states them are out of line with rentals charged in the community, the EW must ask for an explanation. Similarly, it is the EW's responsibility to exercise reasonable judgment in determining if a given number of individuals who apply for food stamps as a single household do in fact fit the Food Stamp Program's concept of an economic unit.

If the EW encounters a problem in a specific case that he feels may necessitate a change in policy or the creation of a new policy, he should refer the matter to his supervisors. The problem might then be referred by the county welfare department to the Department of Benefit Payments and might finally be referred to FNS for disposition. However, if the problem has application to only a specific case or to a limited number of cases and is generally covered by existing policy guidelines, the EW should make a judgment that he can defend as reasonable and prudent.

A county may issue specific guidelines by which its EW's must follow in exercising "prudent judgment." Consequently the EW's make prudent judgment based on county policy which exists in areas where there is no specific state policy. However, county policy shall not specifically conflict with State or Federal regulations. For example, a county may issue guidelines on such matters as what constitutes a "home and lot normal to the community." (See Section 63-2254.1)

63-2020 PROMPT ACTION

63-2020

The county welfare department is responsible for the certification of applicant households. The county welfare department must provide an application for

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63-2020 **PROMPT ACTION**

63-2020

participation in the Food Stamp Program to any person upon request, and must accept an identifiable application when submitted. An identifiable application is an application or affidavit containing a legible name and address that has been signed. The county welfare department must either approve or deny applications for participation within 30 days from the receipt of an identifiable application (see Section 63-2350). The person making application is responsible for cooperating with the county welfare department in providing the information necessary for the department to make this determination.

63-2021 **PERSONNEL REQUIREMENTS**

63-2021

The county welfare department will provide the qualified employees necessary to assure that prompt action is taken on all applications and affidavits. The county welfare department employees used to certify households for participation in the Food Stamp Program shall meet the personnel standards used by the county welfare department in the certification of applicants for benefits under the federally-aided public assistance programs. Only such qualified county welfare department employees shall conduct the interview of applicant households required by 63-2120 and determine the household's eligibility or ineligibility and the level of assistance. In addition, only authorized employees of the county welfare department, an issuing agent or other approved vendor shall have access to food coupons, authorization to purchase (ATP) cards or other issuance documents.

63-2022 **VOLUNTEERS**

63-2022

Volunteers or other persons not employed by the county welfare department may be used in certification related activities, but shall not be permitted to conduct the interview required by 63-2120 or certify as eligible applicant households.

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63-2022 VOLUNTEERS (Continued)

63-2022

The activities in which volunteers and such other persons may be used include outreach activities such as locating potential participants, assisting in program promotion, teaching nutrition education, and providing transportation to the certification or issuance offices. In addition, they may assist households who so desire in completing the application and other forms and in securing the needed verification of information reported on the application. In certain situations volunteers may act as an authorized representative for households which are unable to personally come to the certification office.

63-2023 PERSONNEL AND FACILITIES OF PARTIES TO A STRIKE

63-2023

The county welfare department may not use, in any certification related activity, persons or organizations who are parties to a strike or lockout. Such persons shall not be permitted to certify applicant households, to interview households, or to secure verification required of such households. These individuals may, however, be used as a source of verification for information provided by applicant households if they would, under normal circumstances, be in the best position to confirm a household's circumstances. The facilities of persons or organizations who are parties to a strike or lockout may not be used in the certification process or as a site for the interview required by 63-2120.

63-2030 RECORDS AND REPORTS

63-2030

The county welfare department shall keep such records and submit such reports and other information as may from time to time be required by the Department of Benefit Payments and FNS. Certification records will be available for review or audit by FNS or the Department of Benefit Payments for a period of 3 years from the month of origin of each such record. Certification records

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63-2030 RECORDS AND REPORTS

63-2030

shall include applications for certification or subsequent certification, including required FNS or Department of Benefit Payments forms; worksheets used in the computation of income for eligibility and the basis of issuance; documentation including verification techniques employed by the caseworker; copies of forms sent to the issuance unit authorizing or changing participation or basis of issuance; copies of notices of adverse action and other notices sent to the client and responses thereto; actions related to the fair hearing process; fiscal adjustments including claims, refunds, and credits for lost benefits; and any other data which affects a household's eligibility or basis of issuance, such as Form FNS-286, Certification of Household Transfer.

63-2040 NONDISCRIMINATION

63-2040

It is the policy of FNS and DBP that program benefits shall be extended to all eligible households without regard to race, color, religious creed, national origin, or political beliefs.

To further this policy, Department of Benefit Payments will initiate programs to inform the public that the Food Stamp Program is administered without discrimination. The Department of Benefit Payments' Public Notification Plan shall consist of the following elements:

.1 Minority Group Contacts

County welfare departments are to advise local minority group organizations, in writing, that the Food Stamp Program is available to all eligible households without regard to race, color, religious creed, national origin, or political beliefs. County welfare departments should contact minority group organizations once every

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63-2040 NONDISCRIMINATION

63-2040

Federal fiscal year. If there are no minority group organizations in the county, the welfare departments should contact prominent minority leaders, ministers, teachers, and other community spokesmen in the county.

.2 Nondiscrimination Poster

The county welfare department shall assure that the poster "...And Justice for All" is prominently displayed in all local food stamp certification and issuance offices. If this poster is not currently being displayed, the county welfare department should order additional copies for display from FNS - Western Region Office.

.3 Nondiscrimination Statement

Applicants for program participation shall be advised that their application will be processed without discrimination. This can be accomplished in the statement on the application form that the applicant has been advised of his rights. The statement should include a sentence reading: "Standards for participation in the Food Stamp Program are the same for everyone without regard to race, color, religious creed, national origin, or political beliefs."

In addition, all Department of Benefit Payments and county welfare department publications informing the public of program benefits should include the same statement: "Standards for participation in the Food Stamp Program are the same for everyone without regard to race, color, religious creed, national origin, or political beliefs." County welfare departments may exhaust present supplies of form and publications; however, any new issues shall include the nondiscrimination statement.

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63-2040 NONDISCRIMINATION

63-2040

.4 Records

County welfare departments are to maintain all file copies of correspondence concerning public notification of nondiscrimination. These documents shall be made available for inspection during compliance reviews and audits of the Food Stamp Program.

63-2041 DISCLOSURE OF INFORMATION

63-2041

In accordance with Section 10(e)(3) of the Food Stamp Act, the county welfare department shall restrict the use or disclosure of information obtained from applicant households to persons directly connected with the administration and enforcement of the Food Stamp Program. Names and addresses of participating households may be made available to persons directly connected with nutrition education and outreach efforts. The county welfare department may cooperate in furnishing needed information to the Federal Bureau of Investigation or other law enforcement agencies if the investigation concerns a household fraudulently obtaining coupons or otherwise violating the Food Stamp Act or Federal or State Regulations.

63-2042 AVAILABILITY OF PUBLIC INFORMATION

63-2042

Federal Regulations, Plans of Operations, Federal procedures, and California Food Stamp Manuals and supplemental instructions issued for use in certifying households shall be maintained in at least one local office of the welfare department in each county for examination by members of the public on regular workdays during regular office hours. Copies of audits or investigations conducted by DBP, FNS, the Federal Office of Audit or the Federal Office of Investigation which are for official use only shall not be made available for public examination.

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63-2050 RECIPIENT CLAIMS

63-2050

The county welfare department will handle cases where a participating household received an overissuance of free coupons in accordance with 63-4500 through 63-4700. Any intentional misrepresentation on the part of the household may subject the household to prosecution in accordance with 63-4800.

63-2051 REFUNDS FOR OVERCHARGES

63-2051

The county welfare department will handle cases in which a household has been overcharged for its coupon allotment because of an administrative error on the part of the county welfare department personnel in accordance with 63-4210.

63-2052 CREDITS FOR LOST BENEFITS

63-2052

The county welfare department will handle cases of households which have had their food coupon allotment wrongfully denied, delayed, or terminated by providing credit for lost benefits in accordance with applicable Section 63-4300.

63-2060 QUALITY CONTROL

63-2060

The Department of Benefit Payments will establish and maintain a quality control system in accordance with Chapter 63-6000. Quality Control is an administrative system for documenting the extent of and reasons for errors in the eligibility and basis of issuance of participating households. Based on this documentation, action must be taken to reduce the incidence of these errors below preestablished tolerance limits.

63-2070 DISASTER CERTIFICATION

63-2070

When authorized by FNS, through the Department of Benefit Payments, the county welfare department may certify households affected by a disaster in accordance

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(Pursuant to Government Code Section 11380.1)

63-2070 DISASTER CERTIFICATION (Continued)

63-2070

with Chapter 63-7000. When FNS does not authorize a disaster declaration, households shall be certified in accordance with procedures detailed in this Chapter (63-2000). Such households may be eligible for an unusual expense deduction as prescribed in Section 63-2264.7.

63-2100 APPLICATION PROCESSING

63-2100

All applications shall be submitted on behalf of a household.

63-2101 HOUSEHOLD CONCEPT

63-2101

A household is defined as any one of the following:

- a. A group of individuals who are living as one economic unit sharing common cooking facilities.
- b. An individual living alone who purchases and prepares food for home consumption.
- c. An individual who purchases and prepares food for home consumption and who resides with any other person or persons who is not a member of the individual's economic unit.
- d. An elderly person (i.e., an individual age 60 or older) who lives alone or only with spouse and who need not have cooking facilities if he participates in a delivered meals program or a communal dining program.
- e. A narcotics addict or alcoholic who is a resident of a drug addiction or alcoholic treatment and rehabilitation program and who receives meals through such program.

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(Pursuant to Government Code Section 11380.1)

63-2102 NONHOUSEHOLD MEMBERS

63-2102

The following individuals residing with a household will not be considered household members for determining the household's eligibility or basis of issuance.

.1 Roomer

An individual to whom a household furnishes lodging, but not meals, for compensation.

.2 Boarder

An individual to whom a household furnishes meals, or lodging and meals, for payment at a monthly rate at least equal to the coupon allotment for a one-person household.

.21 An individual furnished both meals and lodging by the household, but contributing less than a one-person coupon allotment, will be considered a part of the household. By failing to meet the basic payment, the individual's basic needs are being provided by the household and he will therefore be treated as any other household member.

.22 An individual furnished only meals but not residing with the household and contributing less than a one-person coupon allotment will not be considered a member of that household and only his actual payment to the household will be included as household income (see Section 63-2262.13).

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63-2102 NONHOUSEHOLD MEMBERS (Continued)

63-2102

.3 Attendant or Housekeeper

An individual necessary for medical or child care reasons who is not a part of the household economic unit.

.4 Ineligible Alien

An individual who does not meet the citizenship or permanent alien status as defined in Section 63-2205. However, the income and resources of such individual, if he is not otherwise excluded from the household as a roomer, boarder, or attendant, will be considered available to the household for the purpose of determining eligibility and basis of issuance for the remaining household members (see Section 63-2331).

.5 SSI/SSP Recipients

Recipients of Supplemental Security Income (SSI) or State Supplementary Payment (SSP) (see Section 63-2323).

.6 Others

Other individuals who are not a part of the household's economic unit and do not normally purchase food with the household, including unborn children.

63-2103 ECONOMIC UNIT

63-2103

An economic unit is a group of individuals for whom food is customarily purchased and stored in common for use by all members of the group and for whom common living costs (such as, but not limited to, shelter costs) are customarily being met from the income and/or resources available to any individual within the group.

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63-2103 ECONOMIC UNIT (Continued)

63-2103

It is possible for more than one household to share common living quarters and even common shelter costs. In such situations, it is the responsibility of each person or group of persons to establish that they are in fact separate economic units and may apply as separate households.

63-2104 HEAD OF HOUSEHOLD

63-2104

The head of household is the person in whose name application is made for participation in the program. Such individual must be a household member except that, if the only adult member of an economic unit is an ineligible alien or an SSI-SSP recipient, such individual may make application on behalf of the household of minors as the head of household.

63-2106 RETAIL STORE OWNERS AND MANAGERS

63-2106

Owners and managers of stores authorized by FNS to accept food coupons are not eligible to participate as members of eligible households. Should a group containing such a member apply as a household, they should be advised they may be certified for food stamps provided the member forfeits his FNS retailer authorization. However, the manager of a cooperative buying club, (i.e., an organization of low-income families who pool their buying power to obtain food at lower prices) may participate as part of an eligible household.

63-2110 APPLICATION PROCESS

63-2110

Households wishing to participate in the program must make this desire known to the county welfare department and provide the county welfare department with enough information regarding household income and circumstances to make a determination of eligibility. Failure by the household to cooperate with the county welfare department in providing the information necessary for an

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63-2110 APPLICATION PROCESS (Continued)

63-2110

eligibility determination can result in denial of the application. The application process consists of an application for participation made by or in the name of the household head, an interview, and required verification and documentation. For purposes of applying for program benefits, households fall into two categories--public assistance (PA) households and nonassistance (NA) households.

.1 PA Households

The following households will be classified as PA households for food stamp purposes:

- a. Households in which all members are receiving directly or on their behalf a federally aided Aid to Families with Dependent Children (AFDC) grant.
- b. Households in which all members are receiving directly or on their behalf a general assistance (GA) grant from a local public assistance program which has been determined by FNS to meet the criteria for inclusion as PA households. (The presence in any household of an individual receiving a grant from a GA program which has not received FNS approval shall result in the classification of the household as a NA household.)
- c. Households in which all members are receiving either a federally aided AFDC grant or a GA grant as defined above.

The classification of a PA household will not be affected by the presence of a legally assigned foster child.

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63-2110 APPLICATION PROCESS (Continued)

63-2110

.2 NA Households

All other households shall be classified as NA households.

.3 Differentiating Between PA and NA Households

In order to be classified as PA for food stamp purposes, all members of a household must be receiving either an AFDC cash grant as federally eligible persons or a General Relief grant which has been determined by FNS to meet PA criteria. Households containing a member who is not receiving a payment of the above type, and who is not a roomer, boarder, live-in attendant, foster child, or SSI/SSP recipient are mixed households and are, therefore, subject to the FSP income and resource limitations applicable to NA households. AFDC households whose grant has been reduced to zero temporarily, such as for the collection of an overpayment, continue to remain PA households even though no PA grant is being issued to them during those months. However, households on a "zero grant" basis because of excess income may continue to remain classified as PA for a period not to exceed one month. Continuation of a "zero grant" status for such a household beyond one month will require the preparation of a DFA 285 and a determination of NA eligibility.

Errors seem to be made most frequently in the households which contain a nonaided child, a "non-Federal" person and in UAM and stepfather households. Please inform AFDC eligibility staff of the urgency of evaluating food stamp eligibility of AFDC households when a change takes place which could bring about a discontinuance of the PA status and thereby the need to review the case in terms of nonassistance eligibility. A household changing from an assistance household to a nonassistance household does not automatically retain its eligibility for food stamps even for the changeover month or first

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63-2110 APPLICATION PROCESS (Continued)

63-2110

month in which it has become a nonassistance household. A notice of adverse action is necessary, of course, before this termination of PA food stamps. But after termination of PA food stamps, the continuation of a household's participation in the program must be established prior to any further stamp issuance by using a nonassistance application and all NA regulations and procedures.

It may be possible in special cases for all members of certain households to be receiving an aid grant and for the classification of the household to be nonassistance.

All-County Letter No. 74-68 dated April 23, 1974, indicates that in AFDC a needy unmarried parent may now be eligible to be in the AFDC budget and grant, even though such a person would be coded "non-Federal" for AFDC participation purposes. The presence of such an aided but non-Federal person in the household makes the household nonassistance. A PA household, therefore, is one in which all members are receiving assistance as federal eligibles under a federally aided public assistance program or under a general assistance program found by FNS to meet PA criteria.

Aid to the Potentially Self-supporting Blind households and Cuban Refugee aid households are considered by FNS to be nonassistance households. Persons who are AFDC refused grant cases, 34's, are not public assistance recipients but nonassistance. These are not to be confused with persons receiving AFDC whose cash grant has been reduced temporarily to zero. Those adult aid recipients receiving SSP but not SSI are nevertheless considered by FNS to be cashed-out and ineligible to receive Food Stamp Program benefits. Persons who have pending aid applications are also not considered public assistance recipients

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63-2110 APPLICATION PROCESS (Continued)

63-2110

until the month in which they actually do receive an aid grant. Persons receiving payments from the Aid for the Adoption of Children program are also not considered public assistance food stamp recipients but nonassistance. The so-called "20 percent Social Security" recipients are to be considered nonassistance persons.

Whenever the AFDC worker determines that an unrelated adult male (URAM) is living in the home of an AFDC recipient, each such case must be examined individually to assess whether the URAM is a bona fide roomer and/or boarder, or a household member. If he is a household member, and not receiving public assistance as a federally eligible person or general assistance, the food stamp case becomes nonassistance (mixed). In no case, however, may the URAM be considered a roomer or boarder for Food Stamp Program purposes unless the AFDC worker has made the same determination (under EAS Section 43-114) for AFDC program purposes.

When there is an "unmarried parent" in an AFDC case, the household shall be nonassistance, mixed, if the "unmarried parent" is not receiving public assistance as a federally eligible person or general assistance.

For purposes of classifying households, claiming reimbursement and reporting participation on the FNS 256 report, households containing an SSI/SSP recipient are to be treated as if that person were not a household member.

63-2115 PA APPLICATION PROCESS

63-2115

Households applying for AFDC and FSP at the same time are certified on the basis of information contained in Form WR-2. Current AFDC recipients may be certified for FSP using WR-2A, and may mail in that form. There should be no need for the

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63-2115 PA APPLICATION PROCESS

63-2115

AFDC recipient to make a special visit to the county welfare office to execute the WR-2A. (See Section 63-2311 for PA certification periods.)

All households applying for or receiving General or Emergency Relief/Assistance, and who have not completed a WR-2, are required to complete a DFA 285 for each period of FSP participation. Households applying for AFDC (or General Assistance/Relief which has been approved for classification as PA) will be subject to NA income and resource limitations until certified for such grants. Households denied AFDC (or General Assistance/Relief approved as PA) or receiving Emergency Relief/Assistance are required to complete a DFA 285 for every period of certification and participate, if eligible, as NA households.

Households which contain one or more members that are not receiving an AFDC Grant or federally approved General Assistance/Relief will complete a DFA 285 for each period of certification and will participate as NA households. (See Sections 63-2110 and 63-2102 for household members.)

Completion of a DFA 285.2 for each period of certification is required regardless of whether a WR-2, WR-2A, DFA-285 or any other form is used.

63-2116 PA INTERVIEWS

63-2116

The interview of PA households shall be satisfied by the interview conducted in connection with their certification for public assistance.

63-2117 PA VERIFICATION AND DOCUMENTATION

63-2117

The PA case file will serve as verification and documentation. If, however, the EW has any reason to question information in the file or provided in the affidavit, he should verify all such information prior to certification for food stamp benefits.

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63-2120 NA APPLICATION PROCESS

63-2120

To be certified for food stamp eligibility, an NA household must complete an application and cooperate in providing all information necessary for an eligibility determination. In addition, each application must be followed by an interview. Applications by NA households are also subject to verification of facts stated by the applicant and documentation which consists of a written record in the case file of the method used to verify information received from the applicant.

63-2121 NA APPLICATION

63-2121

Applications for participation by NA households may be completed by the applicant or anyone he chooses. The application must be signed by either the head of the household, the spouse, or the household's authorized representative. The application may be completed in the certification office or may be submitted by mail. Although the application form is designed to be recipient-oriented, the EW should assist the applicant in completing the form if requested to do so. All applicants must be provided an application form at the time they request to participate in the Food Stamp Program.

.1 NA Application Form

Form DFA 285 is to be used for NA applications. However, the county welfare department may modify that form to the extent necessary to provide identification of the originating county. Other modifications may be approved if it can be established that use of the DFA 285 is administratively unfeasible because of unusual and overriding circumstances.

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63-2121 NA APPLICATION (Continued)

63-2121

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The application must contain all information necessary to determine a household's eligibility and basis of issuance. FNS requires that the application form be recipient-oriented--that is, easily read, adequate spacing for furnishing necessary and complete information, and a clear statement of the applicant's understanding of his rights and responsibilities, including penalties, which is to be signed by the head of the household or his representative. Included in the responsibilities shall be the requirement to cooperate with quality control personnel, if the household is chosen for a review. If the questions are not self-explanatory, clear instructions regarding execution of the form must be provided either on the form itself or as a separate piece of material to be made available with the application form. The instructions must be approved by DBP concurrently with its approval of the county welfare department's proposed application form. Other considerations include space for performing necessary administrative actions on the information submitted, such as changes resulting from the interview or verification or similar notations, and retrievability of information. The format of the application also serves as a useful tool in directing the course of the interview.

The purpose of the DFA 285.2 worksheet is to provide the eligibility worker with an effective tool for assuring the correctness of computation. If additional sheets are used for computations, besides the worksheet, those additional sheets are to be preserved and filed in the case record. The worksheet must be executed for each period of certification since it reflects the disposition of the application and the documented reason for the determination of eligibility or ineligibility.

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63-2121 NA APPLICATION (Continued)

63-2121

See Chapter 63-9000 for instructions and samples of forms DFA 285 and DFA 285.2.

63-2122 NA INTERVIEW

63-2122

It is necessary to interview all NA applicants including those whose applications are submitted by mail. Only qualified EWs (see Section 63-2021) shall interview the applicant who may be the head of the household, the spouse, or the household's authorized representative. Applicants and recipients who are unable to come into the office for a face-to-face interview may be interviewed in a home visit or by telephone. When it is necessary to interview the applicant by telephone, the justification for such action must be fully documented in the case file.

Inconvenience to the applicant is not considered sufficient justification. No household shall be interviewed by telephone for any two successive certifications.

The purpose of the interview is to establish, to the satisfaction of the EW, that the actual facts of the case are consistent with the statements on the application concerning household income and circumstances and to establish, subject to subsequent verification, whether or not the household is eligible for food stamp assistance. The only successful method of making such a determination is the use of investigative interview techniques to conduct a thorough and searching inquiry into household circumstances. Merely reviewing the application for completeness is no substitute for the investigative interview.

The county welfare department must impress upon EW's that the interview is an official and confidential discussion of household circumstances with the applicant. The applicant should be made to feel at ease during the interview and in all instances the household's right to privacy must be respected. The

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63-2122 NA INTERVIEW

63-2122

scope of the interview may not extend beyond the examination of household circumstances which directly relate to the determination of household eligibility and basis of issuance.

During the interview, the EW should be sure that the applicant understands his obligations as a recipient and has a basic understanding of program procedures and aims. The applicant must be advised of his right to appeal the EW's determination if he is not satisfied with the results (see Section 63-2500 for Fair Hearings). In addition, the applicant must be advised that eligibility will be determined without discrimination.

.1 Interview Management

County welfare departments are required to assure that all applicants are promptly interviewed in order to take action on the application within the 30-day period. The county welfare department should provide adequate staffing and efficient practices to avoid long waits for interviews or rigid appointment systems which are not structured to accommodate households whose need for food assistance is obvious and immediate. In addition, adequate supervision at both the State and county level shall be provided to assure proper certification procedures and prudent management controls are being followed. Facilities should be of an adequate size and layout to assure the privacy necessary to preserve the confidentiality of the interview and also to allow workers to conduct the interview and perform other office duties without undue distraction.

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63-2123 NA VERIFICATION AND DOCUMENTATION

63-2123

Prior to determining eligibility for applicant households, sufficient information concerning the applicant's situation must be obtained in order for the EW to make an informed judgment as to the household's eligibility. Verification and documentation are tools for making this judgment and recording the decision-making process in the case file.

.1 Verification

Verification means that information has been secured which will establish the accuracy, or lack thereof, of information provided by the applicant. Gross nonexempt income and mandatory deductions are the minimum verification required at the initial certification and at subsequent certifications when the amount of this income has changed by more than \$25 or the source has changed. This does not preclude verification of other items necessary to determine eligibility particularly when information provided by the applicant is unclear, incomplete, or inconsistent. The county welfare department should provide EW's with guidelines to determine when additional verification is required.

Sources of verification include documentary evidence, collateral contacts, and home visits. Applicants are primarily responsible for furnishing documents sufficient for verification, or at least information from which the verification may be made by the EW. A refusal to cooperate in furnishing income information or information necessary for verification must necessarily result in a denial of benefits since no basis is provided from which eligibility for program participation or basis of coupon issuance may be determined.

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63-2123 NA VERIFICATION AND DOCUMENTATION

63-2123

While the applicant household does have primary responsibility for providing verification, the EW is expected to aid the applicant. Collateral contacts by means of telephone calls, letters, or personal visits may suffice in some instances. In other cases, the applicant should be informed that certain documents will be necessary and provided a reasonable opportunity to comply with such requests. In cases of extreme emergency, especially when employer refuses to provide documentation or information concerning income, the household should not be denied solely on that basis, but the EW shall, in consultation with the applicant or other sources, arrive at a figure to be used for certification purposes.

.2 Documentation

Case files must contain documentation to support the determination to grant or deny program benefits. Documentation means that a written statement regarding the type of verification and a summary of the information obtained has been entered in the case file. Such statement must be in sufficient detail so that a reviewer would be able to determine the reasonableness of the determination.

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63-2123 NA VERIFICATION AND DOCUMENTATION (Continued)

63-2123

EXAMPLE

When income is verified by the presentation of pay stubs or wage statements, the EW shall record on the application or worksheet the following information:

The date of each pay stub or wage statement used.

The name and address of the payer.

The gross amount of income on each stub or statement.

The frequency of receipt of income (i.e., weekly, bimonthly, monthly, etc.)

The specific items and amounts of mandatory deductions.

The calculations made to arrive at a monthly income; for instance, if pay is received weekly and four pay stubs are seen, the income from each should be added; then divided by 4 for a weekly average. The weekly average will be multiplied by 4.3 or $4 \frac{1}{3}$ to provide the monthly average. Deductions would be handled similarly.

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63-2130 AUTHORIZED REPRESENTATIVE

63-2130

An authorized representative is a person designated by the head of the household or the spouse to act on behalf of the household in applying for program benefits and in purchasing coupons. An authorized representative is also a private nonprofit organization or institution conducting a drug addiction or alcoholic treatment and rehabilitation center which will act on behalf of households who reside at such centers in applying for and purchasing food stamps.

63-2131 APPLICATION

63-2131

Where it is impossible for the head of the household or the spouse to make application for participation, a responsible household member may be designated as the authorized representative. If household members are unable to make application because of employment or health or transportation problems, etc., a responsible adult outside the household may be designated under the following conditions:

- a. The head of the household, the spouse, or other responsible household members cannot be interviewed.
- b. The authorized representative has been designated in writing by the head of the household or the spouse.
- c. The authorized representative is adequately aware of pertinent household circumstances.

It is important that, whenever possible, the head of the household or the spouse prepare or review the application, even though the authorized representative will actually be interviewed. It should be emphasized

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63-2131 APPLICATION (Continued)

63-2131

that the head of the household will be held liable for any overissuance which results from erroneous information given by the authorized representative.

63-2132 COUPON PURCHASING

63-2132

If the head of the household wishes to name an authorized representative for purposes of purchasing coupons, such designations should be made at the time the application is completed. Any authorized representative should be named on the identification card. The authorized representative for coupon purchases may be the same individual designated to make application for the household or may be another individual. Even if the head of the household is able to make application and purchase coupons, he should be encouraged to name an authorized representative for purchasing coupons in case of illness or other circumstances which might result in inability to purchase coupons. County welfare departments, may, at their discretion, provide for a system that permits the head of the household or spouse to designate in writing an emergency authorized representative to purchase coupons with a particular ATP card. A separate written designation is needed each time an emergency authorized representative is used.

The authorized representative, or any other person, whether he be a household member or a person outside the household, may use coupons to purchase food for consumption on behalf of the household provided he has the household's identification card with the full knowledge and consent of the head of the household or the spouse.

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63-2133 ADDICT/ALCOHOLIC REPRESENTATIVE

63-2133

Residents of drug addiction or alcoholic treatment and rehabilitation centers must voluntarily elect to participate in the Food Stamp Program. However, those that wish to participate shall be required to apply for food stamps and purchase and use coupons through the nonprofit private organization or institution which runs the center as their authorized representative. The resident household shall assist in completing the application and shall sign the application along with the authorized representative prior to certification. The organization or institution which acts as the authorized representative for resident households shall be responsible for notifying the county welfare department of any changes in resident household income or circumstances, as required by Section 63-2403, including notifying the county welfare department when an addict or alcoholic certified for food stamps leaves the center. In addition, the organization or institution shall be responsible for any overissuances which are caused by misrepresentation or fraud committed in the certification of center residents and shall assume the total liability for food coupons held on behalf of resident households.

63-2134 RESTRICTIONS ON APPOINTMENT

63-2134

Retailers who are authorized to accept food coupons or employees of public welfare departments may not act in any capacity as an authorized representative without the specific approval and determination of the county welfare director that no one else is available to serve.

63-2135 MULTIHOUSEHOLD REPRESENTATIVES

63-2135

An authorized representative may act on behalf of more than one household, but such an arrangement should be approved only if there is a bona fide need. In

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63-2135 MULTIHOUSEHOLD REPRESENTATIVES

63-2135

determining such need, consideration will be given to the proximity of the households to one another, the distance of the certification or issuance office, the availability of transportation, and the health of the household members involved.

63-2136 DOCUMENTATION AND CONTROL

63-2136

The county welfare department will assure that authorized representatives are properly designated, that is, the name of the authorized representative and the justification for appointing a person outside the household (if any) shall be maintained as part of the household's permanent case file. In addition, each certification office shall maintain a control system by file card, or other listing, of those authorized representatives who are not members of the household they represent. This system will identify those authorized representatives who represent more than one household and may be used to assure that authorized representatives do not represent more households than is reasonable and prudent. Periodically the listing should be reviewed to assure that all information is current and should be consulted whenever the validity of a designation is questioned.

63-2200 ELIGIBILITY STANDARDS

63-2200

In January 1971, Congress mandated national uniform standards of eligibility for the Food Stamp Program.

.1 Financial Criteria

The Food Stamp Act requires that at a minimum the standards of eligibility for the program prescribe "the amounts of household income and other

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63-2200 ELIGIBILITY STANDARDS (Continued)

63-2200

financial resources, including both liquid and nonliquid assets to be used as criteria of eligibility.” The standards established by the Secretary of Agriculture for NA households define those households whose income and resources are substantial limiting factors in permitting them to purchase a nutritionally adequate diet.

The income and resource eligibility standards are not applied to PA households because their “need” has already been determined by their eligibility for such assistance. However, in determining basis of issuance, the same income computation is used for PA households as is used for NA households.

.2 Ineligibility of SSI/SSP Recipients

In addition to the financial criteria, the Act also specifies that SSI/SSP recipients shall not be eligible to participate in the Food Stamp Program in California. SSI/SSP recipients shall be treated as nonhousehold members in accordance with Section 63-2102.

.3 Nonfinancial Criteria

Nonfinancial eligibility standards apply equally to PA and NA households and consist of:

- a. Residency in the county;
- b. Citizenship or permanent alien status;
- c. Availability of cooking facilities;

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63-2200 ELIGIBILITY STANDARDS (Continued)

63-2200

d. Prohibition against residency in boarding houses and institutions;

e. Work registration.

63-2201 RESIDENCY

63-2201

All households must live in the county in which they make application for the program. No household may participate in more than one county in any month, except as provided for in Section 63-2422.2 under the transfer of certification procedures.

.1 Residency Limitations

When determining residency, the county welfare department shall:

- a. Not interpret residency to mean domicile which is sometimes defined as the legal place of residence or principal home;
- b. Not impose a durational residency requirement;
- c. Not interpret residency to mean the intent to permanently reside in the State or county, however, persons in the county solely for vacation purposes shall not be considered residents;
- d. Consider as residents all other applicants who are living in the county for any purpose other than vacation.

.2 Reporting

The application contains spaces for both a physical address and a mailing address. If the two are different, the EW should require both addresses

DO NOT WRITE IN THIS SPACE

**CONTINUATION SHEET
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(Pursuant to Government Code Section 11380.1)

63-2201 RESIDENCY (Continued)

63-2201

be given. A mailing address only, such as post office box or a rural route, will not be sufficient as it does not indicate that the household resides in the county. If the address is a rural route, information should be given which can identify the home, e.g., third house on the right, north of Jones' Market.

.3 Verification

Verification of residency is not required unless the information provided by the applicant is unclear, inconsistent, or incomplete. If questionable, the client may supply the verification in the form of documentation such as a driver's license, rent receipt, utility or other recently received bill, voter registration card, or similar means. This information may be further substantiated by cross reference to an independent source such as a telephone or city directory, detailed area map, contact with landlord or neighbor, or, if necessary, a home visit.

In addition to valid addresses, the county welfare department should be alert for duplicate addresses. Each office should consider establishing an address file to check for multiple households reporting the same address. While it is possible for more than one household to occupy a given residence, duplicate addresses would constitute a questionable circumstance and require verification. Any office which issues ATP cards directly to the household, rather than through the mails, needs to be particularly sensitive for invalid and duplicated addresses.

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(Pursuant to Government Code Section 11380.1)

63-2205 CITIZENSHIP OR PERMANENT ALIEN STATUS

63-2205

To receive program benefits, an individual must be either:

- a. A citizen of the United States; or
- b. An alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law, including any alien lawfully in the United States as a refugee pursuant to Section 203(a)(7) of the Immigration and Nationality Act or as a parolee pursuant to Section 212(d)(5) of that Act.

The presence in a household of an alien who does not meet the above criteria shall not prevent the remainder of the household from applying for and receiving food stamp benefits. The eligibility of such households will be determined in accordance with procedures in Section 63-2331.

DO NOT WRITE IN THIS SPACE

63-2206 CITIZENS AND ELIGIBLE ALIENS

63-2206

Individuals in the following classifications are eligible to receive program benefits:

.1 U. S. Citizens

For the purposes of qualifying as a United States citizen, the United States shall be defined as the 50 States and District of Columbia,

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63-2206 CITIZENS AND ELIGIBLE ALIENS

63-2206

Puerto Rico, Guam, and the Virgin Islands. In addition, nationals from American Samoa or Swain's Island shall be regarded as United States citizens for food stamp purposes.

.2 Immigrants

Immigrants are those aliens lawfully admitted for permanent residency in the United States who entered with the express intention of residing permanently in the country. Visitors, tourists, students, workers, diplomats, etc., who are lawfully admitted for specific periods of time and with no intention of establishing a permanent residence in the United States would not qualify under this provision.

.3 Permanent Residence Under Color of Law-Continuous Residence

A permanent resident under color of law is a person who entered the United States before July 1948, has maintained continuous residence since then, and who may be eligible for permanent residence at the discretion of the Attorney General under Section 1259 of Title 8 of the United States Code. This definition was provided by Congress when establishing this criteria for SSI.

.4 Other Permanent Residence Under Color of Law

Any alien granted indefinite voluntary departure or an indefinite stay of deportation is considered as permanently residing in the United States under color of law. Included among these aliens are Cuban refugees who did not enter at a designated port of entry and therefore were not legally paroled into this country. These and other aliens, although found

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63-2206 CITIZENS AND ELIGIBLE ALIENS

63-2206

deportable, may be granted "voluntary departure" for an indefinite period or indefinite stays of deportation because of humanitarian considerations or because of technical difficulties which cannot be overcome and which prevent the Immigration and Naturalization Service (INS) from effecting their deportation.

.5 Refugees - Section 203(a)(7)

This section provides for the conditional entry of aliens who because of persecution or fear of persecution on account of race, religion, or political opinion, have fled from a Communist or Communist-dominated country or from the area of the Middle East; or who are refugees from natural catastrophes.

.6 Parolees - Section 212(d)(5)

This section provides for the parole into the United States for an indefinite or temporary period, at the discretion of the Attorney General, for emergent reasons in the public interest, of any alien applying for admission. Only parolees admitted for an indefinite period will be considered permanent residents.

63-2207 INELIGIBLE ALIENS

63-2207

Aliens not in one of the above categories will not be eligible for food stamps. Some of these aliens may be lawfully admitted but only for a temporary or specific period of time. Such aliens may include visitors, tourists, students, workers, and diplomats. These aliens are not eligible for food stamps because of the temporary nature of their admission status. In addition, any

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63-2207 INELIGIBLE ALIENS (Continued)

63-2207

alien who has entered or remains in the United States unlawfully is not eligible for food stamp benefits.

63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS

63-2208

Verification of citizenship or alien status is not required except in questionable cases. Documentation of status can be more difficult for some citizens than for the legally entered alien. The problem of participation by ineligible aliens will also not be of the same magnitude in all States and localities. To require verification for all cases would, therefore, be an unreasonable imposition on the majority of eligible households and administratively infeasible for the county welfare department.

In questionable cases where verification is required and to assist the EW in determining how to classify certain aliens, the following examples of acceptable documentary evidence are provided. For more detailed information, the INS district office has available copies of a pamphlet "Documentary Requirements for Aliens in the United States" upon request.

.1 U. S. Citizens

Citizenship may be verified by a birth certificate, religious or similar proof of birth, United States passport, a certificate of citizenship or nationalization provided by INS or an Identification Card for Use of Resident Citizen in the United States (INS Form I-179 or INS Form I-197).

.2 Immigrants

Acceptable proof of immigration status is INS Form I-151, Alien Registration Receipt Card. (See following Exhibits for example of form.)

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(Pursuant to Government Code Section 11380.1)

63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS

63-2208

Earlier versions of this form, INS Forms AR-3 and AR-3a, are proof of permanent residency if specifically endorsed as such. Also, a Reentry Permit is acceptable proof inasmuch as permanent residency is a requirement for its issuance.

.3 Permanent Residence Under Color of Law-Continuous Residency

An individual shall be presumed to be permanently residing under color of law upon satisfactory proof of his presence in the United States before June 30, 1948, and his continuous residence since such entry. This presumption shall be made unless negated by available information which indicates no intent to permanently remain in this country, such as the individual's being an official of a foreign government, an international organization representative, or a member of the family or the staff of such an official.

.4 Permanent Residence Under Color of Law

Aliens in this category must have their status verified, as it is a highly questionable circumstance. Documentation may consist of correspondence from INS stating the alien has been granted indefinite voluntary departure or indefinite stay of deportation. In the absence of such documentation, the INS district office having jurisdiction over the alien's residence may be contacted to ascertain his status. The alien's INS file number should be included in all such correspondence if known.

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63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS (Continued)

63-2208

.5 Refugees - Section 203(a)(7)

Verification of this alien status may be possession of INS Form I-94, Arrival-Departure Record, bearing the stamped legend "REFUGEE - CONDITIONAL ENTRY" and citing the section of the Immigration and Nationality Act under which admitted.

.6 Parolees - Section 212(d)(5)

Individuals in this category should have INS Form I-94 (Parolee Edition), Arrival-Departure Record, (see Exhibit 63-2208-B for example of form) which will state that the alien has been paroled pursuant to Section 212(d)(5) of the Immigration and Nationality Act. Only individuals whose forms have been endorsed by the immigration officer to show that parole is for an indefinite period of time shall be eligible. A Form I-94 endorsed to show that parole is for a specific period of time does not constitute evidence of permanent residency.

.7 Ineligible Aliens - Temporary Status

Aliens admitted for specific periods of time should possess one of the following documents: I-94, Arrival-Departure Record (see Exhibit 63-2208-C for example of form) for other than parolees and refugees; I-185, Canadian Border Crossing Card; I-186, Mexican Border Crossing Card and SW-434, Mexican Border Visitors Permit; I-95A, Crewman's Landing Permit; or I-184, Crewman Landing Permit and Identification Card.

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63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS (Continued)

63-2208

.8 Absence of Documentation

If the above documentation is not available, the applicant may state the reason for such absence and submit other evidence of probative value acceptable to the county welfare department. For instance, since the same criteria exists for the AFDC programs, receipt of such aid would constitute proof of status. In the absence of acceptable verification, the member or members in question cannot be certified for program benefits. the INS district office covering the jurisdiction in which the alien resides may be contacted for confirmation of alien status. Such referrals shall not be a matter of general policy for all aliens, but shall be restricted to those cases in which the EW has reason to doubt the status reported by the applicant or in the absence of acceptable documentation.

.9 Reporting Illegal Aliens

If in the application process, it becomes known to the county welfare department that an alien has entered or remained in the United States illegally and INS has not declined deportation action, such alien shall be promptly brought to the attention of the INS district office for appropriate action.

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63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS (Continued) 63-2208

.8 Absence of Documentation

If the above documentation is not available, the applicant may state the reason for such absence and submit other evidence of probative value acceptable to the county welfare department. In the absence of acceptable verification, the member or members in question cannot be certified for program benefits. The INS district office covering the jurisdiction in which the alien resides may be contacted for confirmation of alien status by use of form WR6. Such referrals shall not be a matter of general policy for all aliens, but shall be restricted to those cases in which the EW has reason to doubt the status reported by the applicant or in the absence of acceptable documentation.

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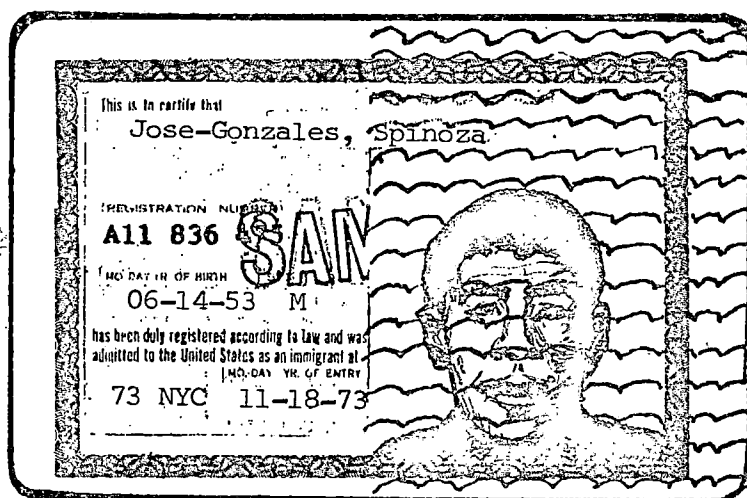
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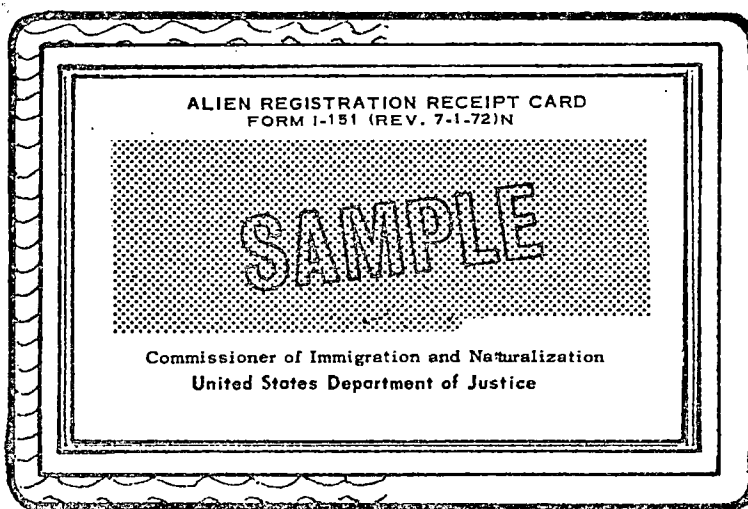
63-2208-A EXHIBIT

63-2208-A

FORM I-151 (ALIEN REGISTRATION
RECEIPT CARD)



Front - Actual Size



Reverse

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**CONTINUATION SHEET
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(Pursuant to Government Code Section 11380.1)

63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS (Continued)

63-2208

Exhibit
63-2208-B

Family Name (<i>Capital Letters</i>) DUMAS		First Name Keith	Middle Initial A.	D-520
Country of Citizenship Jamaica, West Indies		Passport or Alien Registration Number #15772		
United States Address (<i>Number, Street, City and State</i>) 727 West 11th Street, Indianapolis, Indiana				
Airline and Flight No. or Vessel of Arrival BWIA #402		Passenger Boarded at Kingston, Jamaica		
Number, Street, City, Province (<i>State</i>) and Country of Permanent Residence 16 Randwick Drive, Kingston, Jamaica (A11 150 607)				
Month, Day and Year of Birth September 13, 1932		PAROLED PURSUANT TO SEC. 212(d)(5) OF THE I & N ACT TO: November 20, 1971		
City, Province (<i>State</i>) and Country of Birth St. Ann, Jamaica		PURPOSE: 1st preference beneficiary.		
Visa Issued at (I-512)		(Port) HNM		
Month, Day and Year Visa Issued 12/22/70		(Officer) JGH		
SURRENDER THIS COPY WHEN LEAVING THE UNITED STATES—SEE REVERSE				
FORM I-94				

Front—Actual Size

DO NOT WRITE IN THIS SPACE

IMPORTANT NOTICE

Your parole into the United States does not constitute an admission under the terms of the Immigration and Nationality Act. You must observe the conditions of the parole and failure to comply with any of those conditions may result in the revocation of your parole. If, for any reason, you do not proceed to the address shown on the face of this form, or if after arrival, you change your address, you must immediately report to the nearest office of the Immigration and Naturalization Service. You must also report to the nearest office of the Immigration and Naturalization Service if your status is not otherwise changed or if you do not leave the United States before the termination date shown.

UPON DEPARTURE FROM THE UNITED STATES

- ① By sea or air surrender this permit to transportation line.
- ② Over Canadian border, surrender this permit to Canadian Immigration Officer.
- ③ Over Mexican border, surrender this permit to United States Immigration Officer.

DEPARTURE RECORD

Port:

Date:

Carrier:

To:

(Country of disembarkation)

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
Form Approved Budget Bureau No. 43-R311.7

ARRIVAL — DEPARTURE RECORD
FORM I-94, (Rev. 4-1-67) (Parole Edition)

SAMPLE

Reverse

**CONTINUATION SHEET
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(Pursuant to Government Code Section 11380.1)

63-2208 VERIFICATION OF CITIZENSHIP OR ALIEN STATUS (Continued)

63-2208

Exhibit
63-2208-C

Family Name (Capital Letters) SANTOS		First Name Maria	Middle Initial S-550	A NONIMMIGRANT ALIEN WHO ACCEPTS UNAUTHORIZED EMPLOYMENT IS SUBJECT TO DEPORTATION
Country of Citizenship El Salvador		Passport or Alien Registration Number G 980356		
United States Address (Number, Street, City and State) 4900 Del Plaza Street, Fairfax, Virginia 22045				
Airline and Flight No. or Vessel of Arrival PANAM 507		Passenger Boarded at San Salvador		
Number, Street, City, Province (State) and Country of Permanent Residence 35 Marion Street, San Salvador, El Salvador				
Month, Day and Year of Birth May 13, 1948		U. S. IMMIGRATION 230 WAS 16 MAR 17 1972 ADMITTED B-2 UNTIL Sept. 16, 1972		
City, Province (State) and Country of Birth San Salvador, El Salvador				
Visa Issued at (If no visa, insert ticket number) San Salvador, El Salvador				
Month, Day and Year Visa Issued March 11, 1972				
<div style="float: right;"> Surrender this copy when leaving the United States SEE REVERSE FORM 1-94 </div>				

Front—Actual Size

IMPORTANT NOTICE. A NONIMMIGRANT ALIEN WHO ACCEPTS UNAUTHORIZED EMPLOYMENT IS SUBJECT TO DEPORTATION. • Retain this permit in your possession except when required to submit same to the Immigration and Naturalization Service. • You are permitted to remain in the U. S. for the time indicated. • To remain past this period, without permission from immigration authorities, is a violation of law. WHEN YOU LEAVE THE UNITED STATES • By sea or air, surrender this permit to transportation line. • Over Canadian border, surrender this permit to Canadian Immigration Officer. • Over Mexican border, surrender this permit to United States Immigration Officer. RECORD OF EXTENSIONS		To _____ Office _____ Office _____ Office DEPARTURE RECORD
UNITED STATES DEPARTMENT OF JUSTICE Immigration and Naturalization Service ARRIVAL-DEPARTURE RECORD FORM 1-94 (REV. 9-1-71) FORM APPROVED OMB NO. 43-RO496		Port: _____ Date: _____ Carrier: _____ To: _____ (Country of disembarkation)

Reverse

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(Pursuant to Government Code Section 11380.1)

63-2210 COOKING FACILITIES

63-2210

All households, with the exception of those listed in Section 63-2211, must have access to cooking facilities where they reside for use in the preparation of food for home consumption.

The household need not have a formal or conventional kitchen to meet the cooking facilities requirement. EWS should exercise prudent judgment in determining whether or not a household has the means available to prepare simple cooked meals.

63-2211 HOUSEHOLDS EXEMPT FROM COOKING FACILITIES REQUIREMENT

63-2211

The following households are eligible to purchase prepared meals with their coupons and therefore may be exempt from the cooking facilities requirement:

.1 Communal Dining

A person 60 years of age or over who is not a resident of an institution or boarding house, who is living alone or only with spouse, and who elects to use coupons to purchase meals especially prepared for the elderly at a communal dining facility which has been authorized by FNS to accept food coupons.

.2 Meal Delivery Service

A person 60 years of age or over who is not a resident of an institution or boarding house, who is living alone or only with spouse, and who qualifies for as provided in Section 63-2212.3 and elects to use coupons to purchase meals from a nonprofit meal delivery service authorized by FNS to accept food coupons.

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(Pursuant to Government Code Section 11380.1)

63-2211 HOUSEHOLDS EXEMPT FROM COOKING FACILITIES REQUIREMENT (Continued) 63-2211

.3 Resident Addicts or Alcoholics

A narcotics addict or alcoholic who is certified as a resident of a drug addiction or alcoholic treatment and rehabilitation center which is authorized by FNS to accept food coupons, and who elects to use coupons at such a center.

63-2212 ELIGIBILITY TO USE COUPONS FOR PREPARED MEALS

63-2212

In addition to the households in Section 63-2211, the following persons as individuals may use their coupons to purchase prepared meals, provided the household of which they are a part meets all other eligibility criteria, including cooking facilities:

.1 Communal Dining

Any member of an eligible household who is 60 years of age or older may use all or any part of his coupons to purchase meals prepared at a communal dining facility authorized by FNS for such purpose. In addition, if the household member lives only with spouse, the spouse may also purchase meals from a communal dining facility regardless of age.

.2 Definition of Communal Dining Facility

A communal dining facility means any facility such as senior citizens' centers, apartment buildings occupied primarily by elderly persons, any public or nonprofit private school (tax exempt) which prepares meals especially for elderly persons during special hours and certain other public or nonprofit private establishments (tax exempt) which prepare

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63-2212 ELIGIBILITY TO USE COUPONS FOR PREPARED MEALS

63-2212

and serve meals for the elderly. It also means a private establishment which is under contract with a State or local agency to offer, at concessional prices, meals prepared especially for the elderly. Such facilities may accept coupons only after authorization by FNS.

.3 Meal Delivery Service

Any member of an eligible household who is 60 years of age or older may use all or any part of his coupons to purchase meals from a nonprofit meal delivery service authorized by FNS for such purpose provided the individual is housebound, feeble, physically handicapped or otherwise disabled to the extent that he is unable to adequately prepare all his meals. In addition, if the household member lives only with spouse, the spouse may also purchase meals from a nonprofit meal delivery service regardless of age or disability.

.4 Definition of Nonprofit Meal Delivery Service

A nonprofit meal delivery service means a political subdivision or a private nonprofit organization which prepares and delivers meals, which is recognized as tax exempt by the Internal Revenue Service (IRS), and which is not receiving federally donated foods from USDA for use in the preparation of meals to be exchanged for food coupons. Such organizations may accept food coupons only after authorization by FNS.

.5 Drug or Alcoholic Treatment and Rehabilitation Program

Any member of an eligible household who is a narcotics addict or alcoholic and who regularly participates in a drug or alcoholic treatment and rehabilitation program on a resident or a nonresident basis may use all

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63-2212 ELIGIBILITY TO USE COUPONS FOR PREPARED MEALS (Continued) 63-2212

or any part of his coupons to purchase food prepared for or served to him during the course of such program provided the program has been authorized by FNS for such purpose. In the case of resident households, the use of coupons shall be through an authorized representative designated by the drug or alcoholic treatment and rehabilitation program in accordance with Section 63-2133.

.6 Definition of a Drug or Alcoholic Treatment and Rehabilitation Program

A drug or alcoholic treatment and rehabilitation program means a program conducted by a private nonprofit organization or institution which is certified by the State agency or agencies responsible for administration of the State's programs for drug addicts and alcoholics as providing treatment that can lead to their rehabilitation. See Section 63-2330.1. Such programs must be recognized as tax exempt, must not receive federally donated foods from USDA for use in the preparation of meals to be exchanged for food coupons, and may accept coupons only after authorization by FNS.

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63-2215 RESIDENTS OF BOARDING HOUSES 63-2215

Residents of boarding houses are ineligible to participate in the program. A resident of a boarding house for food stamp purposes is a resident of a place where three or more individuals are furnished meals or meals and lodging for compensation. Anyone residing in the boarding house, including the proprietor, shall be ineligible for the program.

63-2216 RESIDENTS OF INSTITUTIONS 63-2216

Residents of institutions are ineligible to participate in the program. Except as provided in Section 63-2216.1, individuals will be considered

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63-2216 RESIDENTS OF INSTITUTIONS (Continued)

63-2216

residents of an institution when the institution provides them with the majority of their meals as a part of its normal services, and the institution has not been authorized by FNS to accept coupons.

Individuals who do not receive their meals from the institution but have access to cooking facilities to prepare their own food or are participating in a delivered meals program or a communal dining program will be eligible for food stamps if they meet all other eligibility requirements.

.1 Exemptions from the Institution Prohibition

Only the following households are exempt from this criteria:

- a. Any narcotics addict or alcoholic who resides at a facility or treatment center under the supervision of a drug or alcoholic treatment and rehabilitation program as defined in Section 63-2212.6.
- b. Residents of federally subsidized housing for the elderly under either Section 202 of the Housing Act of 1959 or Section 236 of the National Housing Act. Section 202 of the Housing Act of 1959 provides for the establishment of housing for the elderly (age 62 or older) or handicapped. Section 236 of the National Housing Act provides for housing for lower income families including, but not limited to, the elderly and handicapped. Only in those instances where 202 or 236 housing is built for the elderly shall such residents be categorically exempt from classification as residents of an institution.

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(Pursuant to Government Code Section 11380.1)

63-2220 WORK REGISTRATION

63-2220

The Food Stamp Act requires that all able-bodied adults who are members of eligible households, with few exceptions, register for work and accept suitable employment. The requirement is multipurpose.

It assures that all members of eligible households who are in need of and available for suitable employment have access to those services which are provided by federally funded Employment Development Department (EDD) offices, and which are available to participants without charge. It prevents participation by those persons who would refuse to pursue gainful employment in order to obtain program benefits, and it enables potentially employable persons to improve their financial situations, minimizing their present or future need for assistance.

Compliance with the requirement is a prerequisite to certification. The requirement is not one which can be waived, and benefits may not be granted conditionally prior to registration by all members of the household who are required to do so. Effective administration of this provision necessitates the closest cooperation between county welfare department, local certifying offices, and EDD offices in the areas where registrants reside so that all facilities and services may be made available as required to effect the intent of the Food Stamp Act.

63-2221 PERSONS REQUIRED TO REGISTER

63-2221

Except as provided in Section 63-2222, all able-bodied adults who have attained the age of 18 and have not yet reached their 65th birthday, including a person not working because of a strike or lockout at his usual place of employment, must register for work.

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63-2221 PERSONS REQUIRED TO REGISTER (Continued)

63-2221

.1 Completion of Form DE 2451 Meets Initial Work Registration Requirement

Registration shall be accomplished through the execution of EDD work registration Form DE 2451 (which replaces the FNS-284). See Exhibit 63-2221-A. Registration is deemed to be completed when the Form DE 2451 (or DE 2451V for Veterans) has been completed to best of the client's ability by or for each person in the household not otherwise exempt, reviewed for completeness and accepted by the EW. The EW shall enter the statement "completed 2451 reviewed and returned to applicant(s) (enter date)" in the "For County Use" margin opposite the work registration section of the application.

Persons already registered for work or Unemployment Insurance with EDD are considered to have already met the initial registration requirement for food stamps. DE 2451's must be completed even prior to emergency issuance of food stamps (unless the individual(s) are already registered). Supplies of DE 2451 should be obtained from the local EDD office.

.2 Instructions for Completion of Form DE 2451

The county welfare department shall enter their address and case name and number in Section R of each 2451 given to a food stamp applicant. Also enter the name and phone of the EW who will have ongoing responsibility for the food stamp applicant, if this information is available.

.3 The Work Registration Process

The EW will instruct the nonassistance applicant to hand-carry the DE 2451 immediately (but no later than 10 days from the date of completion and

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63-2221 PERSONS REQUIRED TO REGISTER (Continued)

63-2221

review by the EW) to the EDD office most convenient to the applicant. This need not be EDD office in the same county in which the applicant resides if an out-of-county EDD office is more geographically convenient or offers more job prospects to the applicant. Applicants will be issued ID cards (DE 1275's) by EDD upon submission of the DE 2451. See Exhibits 63-2221-B and 63-2221-C. Applicants shall be required to present their ID card (or photocopy of it) to their EW as documentation of their initial registration and maintenance of their work registration status at EDD. This may be accomplished by mail or by presentation of the ID card in person by the applicant with follow-up business at the welfare department. The EW shall document the examination of the ID card in the case record noting date(s) indicated by the date stamp.

.4 Establishment of Mandatory Initial One Month Certification Periods

All persons in a NA Food Stamp household who are subject to work registration must document their EDD registration (as explained in .3) before a new certification period can be established for the household. Initial certification for a NA Food Stamp household containing at least one member subject to work registration must be for a one month certification period. If an applicant is initially given a semimonthly certification in lieu of a monthly one, the registration in person at EDD must still be documented prior to subsequent certification (whether this is for semimonthly or a monthly issuance). Applicants who fail to document their registration at EDD will not receive Food Stamp benefits beyond the initial certification period and no adverse action notice is needed. After the initial certification the county may then recertify the household establishing thereafter whatever certification periods are appropriate.

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63-2221 PERSONS REQUIRED TO REGISTER (Continued)

63-2221

The county need not certify the household on an initial one month certification basis if all persons subject to work registration are either: 1) currently registered at EDD, or 2) register immediately at EDD and document this prior to the EW's completion of the initial certification process.

The purpose of this procedure is to promote maximum effectiveness and efficiency in program operations (as allowed in Section 2312, paragraph 2, sentence 2) in the implementation of the work registration requirement by preventing the issuance of more than one month's stamps to individuals who refuse to register in person at EDD on a timely basis.

Blank applications may be given to applicants at time of initial certification for completion the day before their scheduled appointment for their next month's certification.

.5 Registration of AFDC/Food Stamp Applicants

The household situation of AFDC recipients must be examined to determine the applicability of the food stamp work registration requirement.

Registration for AFDC shall be considered to be equivalent to registration for work under the food stamp work requirement, and such registration shall continue to be effective until AFDC is terminated by the welfare income maintenance unit by dropping the individual from welfare.

An applicant for both AFDC and Food Stamps shall have entered on his MA5-95 the food stamp case number below the welfare case number and in the section showing "Registration Status" the letters "FS" should be added in red felt pen following the two blocks marked "MAND" and "VOL." If an AFDC

DO NOT WRITE IN THIS SPACE

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11380.1)

63-2221 PERSONS REQUIRED TO REGISTER (Continued)

63-2221

recipient does not apply for food stamps until after the MA5-95 has already been taken to EDD, the EW shall mail a 331/333 transmittal informing EDD that this person is now also a food stamp recipient.

.6 Registration of Applicant Claiming Active EDD Work Registration

If applicant claims to have already completed a DE 2451 at the local EDD office and to have kept his registration active, he shall be asked to show his EDD ID card (DE 1275) to verify this. The EW shall examine this card to determine if it is current and document the examination of the card in the case record. The card shall be considered current if there is a date stamp for the previous calendar month. If it is current, the applicant need not take another DE 2451 to EDD. The EDD office shall be notified by information statement (see 63-2221.95) that this registrant is now a food stamp recipient. The entry should read "Registrant Now Receives Food Stamps." It is important that occupational code be entered on this information statement. If the applicant does not have an ID card or if stamped entries show the card is out-of-date, the applicant shall be given a new DE 2451 to complete for EW review. At the applicant's option he may return to EDD for reactivation of his status and immediately return documentation of this to EW, to preclude his having to fill out a new DE 2451.

.7 Continuity of Work Registration

There shall be no need for the welfare department to inform EDD when a food stamp recipient has been discontinued from food stamps as EDD automatically de-activates the work application of those persons who do not stay in contact.

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CONTINUATION SHEET
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63-2221 PERSONS REQUIRED TO REGISTER (Continued)

63-2221

There shall also be no need for reregistration every six months as registration once accomplished will continue indefinitely as long as a recipient maintains it.

.8 Maintenance of Registration as an Eligibility Requirement

Under EDD policies, an individual's work registration is inactivated if that individual fails to report to EDD within EDD's work registration "validity period." Each local EDD office establishes its own "validity period." Most offices use either a 30 day or 60 day validity period. EDD shall inform each applicant of this validity period by entering a date in red on the ID card. This date is the "last date to report" before expiration of the validity period. Of course, an applicant can return at any time prior to the date indicated in red. After each contact with the applicant EDD shall enter a new validity period on the recipient's ID card.

Food stamp recipients who do not maintain their active status at EDD will be considered to have failed to cooperate in meeting their food stamp work registration requirement, i.e., failed to meet their responsibility in relation to Section 63-2224, A and/or B, and shall be subject to termination from the program.

If a member of an applicant or participating household has previously failed to register or maintain active registration at EDD, that person upon reapplication, if still subject to registration, must register at EDD and provide evidence of such registration to the certification office before the household can be issued food stamps. The mere completion of a DE 2451 shall not in these cases be deemed adequate to meet the work registration requirement. Evidence of registration shall continue to be required prior to coupon issuance, so long as that person is subject to work registration.

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**CONTINUATION SHEET
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(Pursuant to Government Code Section 11380.1)

63-2221 PERSONS REQUIRED TO REGISTER (Continued)

63-2221

.9 Applicant Work Registration Responsibility

It is important that applicants fully understand their work registration responsibility and provision by the county of informational pass-outs or copies of FNS document FNS-71 "Food Stamp Facts...Work Registration" would be helpful.

.91 Transmittal Documents FNS-284 and CA 331/333

Occasionally it may be necessary for the county welfare department to contact the local EDD office to request information. If contact cannot be made by phone then an FNS-284 shall be used to request information of EDD on nonassistance cases and the CA 331 or new combination Form CA 331/333 on public assistance cases. The FNS-284 shall only be used as a transmittal document to obtain information from or communicate information to EDD. It shall no longer be used to establish work registration. When using FNS-284 as transmittal document, enter recipient's name, case name and number, Social Security number, and if available, the recipient's occupational code. Enter pertinent information under "Remarks" section. Send yellow and pink copies of the 284 to EDD while maintaining the white as a control. EDD will return the yellow copy with their response and notate this "contact" on the recipient's EDD record (the DE 2451).

.92 Waiver Option - The Mail-Hand-Carry System

Counties unable to implement the current work registration system and wishing to continue using the old procedure as contained in the previous regulations under Sections 63-302.5 through .513, may do so only upon

CONTINUATION SHEET
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63-2221 PERSONS REQUIRED TO REGISTER (Continued)

63-2221

approval of a waiver by the Food Stamp Program Branch, Department of Benefit Payments. Approval of a county's written waiver by DBP shall only be made when a county can demonstrate that their current system because of local conditions is demonstrably more practical and efficient for the county and the affected EDD offices. A waiver request should not be initiated until after a county has obtained backing from their local EDD counterparts.

.93 Waiver Option - The Applicant-Hand-Carry System

Counties wishing to implement a work registration system using an "applicant hand-carry" of both yellow and pink copies of FNS-284 to EDD, may do so only upon approval of a waiver by DBP. The system as laid out in pages 32 through 35 (Sections 2221.1 through .3) of the Food Stamp Manual draft (prepared for the October 25, 1974 Public Hearing) shall be used. Research has indicated this system to be more efficient than the one contained in the superceded regulations, Sections 63-302.5 through .513. However, this "Applicant-Hand-Carry System" was found upon analysis to be less effective than the new DE 2451 system.

To obtain a waiver for use of the "Applicant-Hand-Carry System," all of the conditions necessary to obtain the waiver for the "Mail-Hand-Carry System" will apply.

.94 Waiver Option - The Total Mail System

Counties may also develop a system in which the county welfare department mails completed FNS-284s to a local EDD office selected in advance by the applicant. Under this system the EDD office must contact the

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63-2221 PERSONS REQUIRED TO REGISTER (Continued)

63-2221

applicant by phone or mail to arrange an appointment for the applicant to come into the local EDD office to be interviewed and registered. Most EDD offices find this system more unwieldy than the above systems. Approval of a waiver for such a system shall be obtained in the same manner and subject to the same conditions as for the other two waiver options.

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**CONTINUATION SHEET
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WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11380.1)

EXHIBIT 63-2221-A REGISTRATION PROCEDURE

EXHIBIT 63-2221-A

APPLICANT PLEASE COMPLETE NUMBERED ITEMS 1-20 WRITE ON THIS SIDE ONLY	1. EDUCATION AND TRAINING	CIRCLE HIGHEST YEAR OF EDUCATION COMPLETED AND GIVE DEGREES RECEIVED <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td align="center" colspan="10">GRADE AND HIGH SCHOOL</td> <td align="center" colspan="7">COLLEGE</td> <td align="center" colspan="3">DEGREES</td> </tr> <tr> <td align="center">1</td><td align="center">2</td><td align="center">3</td><td align="center">4</td><td align="center">5</td><td align="center">6</td><td align="center">7</td><td align="center">8</td><td align="center">9</td><td align="center">10</td><td align="center">11</td><td align="center">12</td> <td align="center">1</td><td align="center">2</td><td align="center">3</td><td align="center">4</td><td align="center">5</td><td align="center">6</td><td align="center">7</td> <td></td><td></td><td></td> </tr> </table> SHOW COLLEGE, BUSINESS, MILITARY OR TRADE SCHOOL ATTENDED, SUBJECTS AND DEGREES OR CERTIFICATES. INCLUDE SPECIALIZED MILITARY TRAINING.	GRADE AND HIGH SCHOOL										COLLEGE							DEGREES			1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7				2. MILITARY SERVICE	BRANCH ENTERED (DATE) RELEASED (DATE)
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			HAVE YOU A SERVICE-CONNECTED DISABILITY? <input type="checkbox"/> YES <input type="checkbox"/> NO																																											
3. EMPLOYMENT RECORD		DESCRIBE LONGEST OR MOST IMPORTANT JOBS HELD, STARTING WITH THE MOST RECENT. INCLUDE SPECIALIZED MILITARY TRAINING.										DO NOT WRITE IN THIS SECTION A. VET. STATUS VERIFIED: B. WORK APPRAISAL:																																		
EMPLOYER OR COMPANY		ADDRESS																																												
JOB TITLE		RATE OF PAY		LENGTH OF JOB		DATE LEFT		TYPE OF BUSINESS																																						
DESCRIBE WHAT YOU DID																																														
MACHINES, TOOLS, EQUIPMENT USED																																														
												REASON FOR LEAVING																																		

DO NOT WRITE IN THIS SPACE

PLEASE GO TO ITEM 4 BELOW (LAST NAME)																	DO NOT WRITE IN SECTION BELOW																
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17																	18 19 20 21 22 23 24 25 26 27 28 29 30																
4. LAST NAME (PRINT) FIRST MIDDLE																	D. OCCUPATIONAL TITLES CODES																
5. MAILING ADDRESS CITY AND ZIP CODE																																	
6. SOCIAL SEC. NO.																	7. PHONE NO. <input type="checkbox"/> M <input type="checkbox"/> WC																
8. DATE OF BIRTH																	9. U. S. CITIZEN? <input type="checkbox"/> YES <input type="checkbox"/> NO																
10. HEIGHT																	11. WEIGHT																
12. <input type="checkbox"/> MARRIED <input type="checkbox"/> SINGLE <input type="checkbox"/> OTHER																	13. NUMBER OF DEPENDENTS																
14. AGES OF CHILDREN AT HOME																																	
15. DO YOU HAVE ANY DISABILITIES OR HEALTH LIMITATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO																	16. HOW LONG IN THIS AREA? MOS. YRS.																
17. IF NEEDED FOR WORK, DO YOU HAVE: WORK TOOLS <input type="checkbox"/> YES <input type="checkbox"/> NO AUTO OR TRUCK <input type="checkbox"/> YES <input type="checkbox"/> NO DRIVER'S LICENSE <input type="checkbox"/> YES <input type="checkbox"/> NO																	TRANSPORTATION TO JOB <input type="checkbox"/> YES <input type="checkbox"/> NO SPECIAL CLOTHING <input type="checkbox"/> YES <input type="checkbox"/> NO REQUIRED LICENSE <input type="checkbox"/> YES <input type="checkbox"/> NO KIND?																
18. MEMBERSHIPS (UNION OR PROFESSIONAL) RELATED TO WORK:																	E. LENGTH OF EXPERIENCE IN PRIMARY CODE MO. YRS.																
19. KIND OF WORK WANTED: FIRST CHOICE SECOND CHOICE																	F. SKA																
20. MAY WE CONTACT FORMER EMPLOYERS FOR REFERENCE? <input type="checkbox"/> YES <input type="checkbox"/> NO																	G. TESTS																
(SIGNATURE)																	H. APPLICANT ACCEPTANCE REQUIREMENTS																
																	I. RELOCATE? <input type="checkbox"/> YES <input type="checkbox"/> NO																
																	J. WILL COMMUTE? _____ MILES																

DE 2451 (6-72)

STATE OF CALIFORNIA—DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT

D 08P

FORM DE 2451 (Front)

**CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11380.1)

EXHIBIT 63-2221-A REGISTRATION PROCEDURE (Continued)

EXHIBIT 63-2221-A

[illegible]

DO NOT WRITE IN THIS SPACE

FORM DE 2451 (Reverse).

**CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11380.1)

EXHIBIT 63-2221-B REGISTRATION PROCEDURE

63-2221-B

Form DE 1275

- IF YOU ARE AN OLDER APPLICANT, this office has a program specially designed to help mature workers find employment. We do not believe that artificial age barriers should deprive any person of an opportunity to be gainfully employed.
- IF YOU ARE HANDICAPPED, you can benefit by our placement policy that it is ability, not disability, that counts. In our relations with employers, we stress that a physical impairment need not be a job handicap. Interviewers experienced in working with the handicapped are here to assist you.
- IF YOU ARE A MEMBER OF A MINORITY GROUP, you can benefit by our non-discrimination policy. Recognizing that employment discrimination because of race is harmful to all citizens, this office has a Minority Group Specialist active in promoting equal employment and training opportunities, and in assisting minority workers in finding jobs.
- IF YOU ARE INTERESTED IN WORK OUTSIDE THIS COMMUNITY, we can help you in your search. This office is part of a network of State Offices, which exchange information on job openings throughout the State and Nation. If openings in your line of work are not available locally, and you are willing to move, this office may be able to help you locate a job elsewhere.

(OVER)

WHEN YOU LOOK FOR A JOB . . .

1. Plan! Find out what companies hire workers who do your kind of work. Decide where your best chances are, and go there first!
2. Apply in person whenever possible. See and talk to the one who does the hiring. When you have an appointment about a job, be there on time. Don't apply during the lunch hour or after working hours. Don't take friends or relatives with you!
3. Your personal appearance is important! Be neat, clean and dressed ready to start work.
4. Be ready to talk about the kind of work you have done and the skills you have to offer. Be ready to furnish the names and addresses of former employers, dates you worked, your social security number, and permits or licenses, if required.
5. Ask for a specific job or type of work whenever possible.
6. Be businesslike and brief! Avoid talking about your personal, domestic, or financial problems. Stress your qualifications for the job, and your interest in it. Be realistic in discussing wages. Consider other advantages, such as vacation pay, sick leave, promotional opportunities, etc.
7. Watch personal mannerisms: avoid gum chewing, smoking, fiddling with a purse or jingling coins in your pocket. Try to relax.

STATE OF CALIFORNIA
**DEPARTMENT OF
HUMAN RESOURCES DEVELOPMENT**
AFFILIATED WITH UNITED STATES
MANPOWER ADMINISTRATION
APPLICANT IDENTIFICATION CARD
ISSUED BY: _____



**NO FEES CHARGED TO APPLICANTS
OR EMPLOYERS**

DE 1275 REV. 29 (9-70)

① Δ OSP

TO THE JOB SEEKER . . .

HOW YOU CAN HELP

- DO NOT LOSE OR DESTROY THIS CARD.
- BRING THIS CARD WITH YOU EACH TIME YOU CALL AT THIS OFFICE.
- Notify this office at once if you change your address or telephone number.
- Save this card when you return to work. It is needed when you renew your Application for Work.
- You may contact this office any time you wish regarding employment, but you do not have to be present to be considered for a job. Your Application for Work represents you. However, you should report promptly to this office when you are called for an interview.

NOTE: Issuance of this card does NOT constitute the filing of a claim for Unemployment Insurance. If you wish to file such a claim, inquire at the reception counter of this office for information.

**HOW THIS DEPARTMENT
CAN HELP YOU FIND A JOB . . .**

The Department of Human Resources Development has a primary purpose—to find jobs for workers, and workers for jobs. The services of this office are available to all persons, regardless of age, race, creed, color, or national origin. Trained interviewers and placement specialists are here to help you find employment. You need not be unemployed to apply for this service—it may be you want to make better use of your skills and abilities, or wish to move to a different locale. Also, this office has services for job seekers with special employment problems.

LAST NAME FIRST MIDDLE

VETERAN: YES ☐ NO ☐

YOU ARE REGISTERED AS

CODE

H	C	HRD							
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**KEEP YOUR APPLICATION FOR WORK ACTIVE
BY CONTACTING THIS OFFICE:**

- ☐ At least once each month.
- ☐ At least once each _____ days.

DATE REPORTED

1.	2.	3.	4.	5.	6.	7.	8.	9.	

**HOW THIS DEPARTMENT CAN
HELP YOU FIND A JOB (Continued)**

Here are some of the services for those with special employment problems:

- **JOB COUNSELING** will give you information and guidance on choosing a suitable occupation. Our counselors will help you determine the kind of work best suited to you, and acquaint you with job opportunities in the various occupations.
- **JOB TESTING**, using scientifically proven aptitude and performance tests, may help you get the job that is right for you.
- IF YOU ARE A VETERAN, we have a Veterans Employment Representative specially trained to help veterans find work. By law, this office gives veterans priority in referral to employment.
- IF YOUR JOB SKILLS are rusty, or if the type of work you do is no longer in demand, this office may be able to help you get training—either to improve your skills, or to learn a new job. In addition, you may be eligible for payment of benefits or allowances while being trained.
- IF YOU ARE A YOUNGER APPLICANT, we can give you specialized help in choosing a career, and in getting that all-important first job. Our youth placement service will also help you find part-time and summer work.

(OVER)

This DE 1275 will be in use until supplies in local EOD offices are exhausted.

**CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11380.1)

EXHIBIT 63-2221-C REGISTRATION PROCEDURE

63-2221

EXHIBIT 63-2221-C

Front - ~~XXXXXX~~

Reverse

STATE OF CALIFORNIA
EMPLOYMENT DEVELOPMENT DEPARTMENT
DO NOT LOSE OR DESTROY THIS CARD
IT IS TO BE PRESENTED EACH TIME YOU CALL
AT THE EMPLOYMENT OFFICE

For F.O. Use

LAST NAME FIRST INITIAL

SSA#

OCC. TITLE

OCC. CODE

APPLICANT IDENTIFICATION CARD ISSUED BY:
FIELD OFFICE ADDRESS

DATE REPORTED

DE 1275 REV. 30 (6-74)

DO NOT WRITE IN THIS SPACE

This is the new
DE 1275. New orders
from LOCAL EDD offices
will be filled with
this form.

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2222 EXEMPTIONS TO WORK REGISTRATION

63-2222

The following individuals, between the ages of 18 to 65, are not required to register for employment.

.1 Mothers

Mothers or other members of the household who have responsibility for the care of dependent children under 18 years of age or of incapacitated adults.

.2 Students

Students who are enrolled at least halftime (as defined by the institution or program in which they are enrolled) in any school or training program which is recognized by any Federal, State, or local government agency.

.3 Incapacitated

Persons who are physically or mentally incapable of engaging in gainful employment.

.4 Employed

Persons who are working on jobs for at least 30 hours per week.

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CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2222 EXEMPTIONS TO WORK REGISTRATION (Continued)

63-2222

.5 Self-Employed

Self-employed persons where the EW determines that the employment constitutes a full-time job of at least 30 hours per week during the period of certification or an average of 30 hours per week on an annual basis.

.6 Addicts or Alcoholics

Any narcotics addict or alcoholic who regularly participates as a resident or nonresident in a drug or alcoholic treatment and rehabilitation program.

63-2223 DETERMINATION OF EXEMPTION STATUS

63-2223

Determination as to which household members meet the exemption to the registration requirement must be made by the EW at the time of initial certification, subsequent certification, change in employment status.

In determining whether or not one or more members of the household fall within the exemptions set out above, the following guidelines shall be used:

.1 Mothers

If a mother and another member of the household both claim to be responsible for the care of the same dependent children or of incapacitated adults, the actual responsibility should be determined by discussion with the applicant.

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CONTINUATION SHEET
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(Pursuant to Government Code Section 11380.1)

63-2223 DETERMINATION OF EXEMPTION STATUS

63-2223

.2 Students

In the case of students between the ages of 18 and 65, inquiry may be made as to the institution or place of training, whether or not such a school or training program is recognized by a Federal, State, or local government agency, and the time of participation in training in order to meet the halftime requirement. This exemption is not altered due to temporary interruptions in school attendance such as semester or summer vacations, provided the attendance will be resumed immediately following such breaks. However, persons enrolled in correspondence courses where physical attendance is not regularly required shall not be considered students for the purposes of this exemption by virtue of such enrollment.

.3 Incapacitated

Receipt of disability payments under the Social Security Program Disability, (Retirement, Survivors, and Disability Insurance) shall be considered proof of disability for purposes of this exemption.

Other individuals claiming a disability exemption shall in the absence of physical evidence, furnish the names of medically qualified sources which can substantiate such disability or documentary evidence which supports the claim. Adequate documentation shall appear in the case file to support the granting of this exemption.

.4 Employed

If a person claims to be exempt by reason of employment for at least 30 hours per week, verification of the amount of income received from such

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(Pursuant to Government Code Section 11380.1)

63-2223 DETERMINATION OF EXEMPTION STATUS

63-2223

employment, as is elsewhere required for certification, is sufficient to establish the exemption, provided the amount of income appears to be consistent with a conclusion of employment for 30 hours a week under the general conditions prevailing in the community.

However, if the individual does not meet this test, but still claims to be employed, then, in cooperation with the EW, the applicant shall be requested to supply documentary evidence of the existence of an employee-employer relationship and that the number of hours worked is equivalent to 30 hours a week.

Factors to be considered, while not all inclusive, are:

- a. Does the wage meet State, local, or Federal minimums?
- b. Have deductions of required mandatory amounts for Federal and/or State income taxes, Social Security tax, etc., been made by employer?
- c. Does the employer pay unemployment insurance premiums on behalf of the employee?

Persons engaged in hobbies or volunteer work or any other activity which cannot, because of the minimal amount of monies received from such activity, be considered as gainful employment, shall not be considered exempt from work registration regardless of the amount of time spent in such activity.

.5 Self-employment

If a person claims to be exempt by reason of self-employment, verification of the amount of income received from self-employment is sufficient to

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2223 DETERMINATION OF EXEMPTION STATUS (Continued)

63-2223

establish the exemption, provided the amount of income appears to be consistent with a conclusion of full-time (30 hours a week) employment.

If the income is not sufficient, but the applicant/recipient still claims to be self-employed, he must cooperate with the EW in establishing the income received from the self-employment enterprise is at least sufficient to be considered gainful employment and that the volume of work claimed justifies a determination that the self-employment enterprise is a full-time job for the purposes of this exemption. The household must cooperate in providing adequate documentation to substantiate the claim.

Persons engaged in hobbies or any other activity which cannot, because of the minimal amount of monies received from such activity, be considered as gainful employment, shall not be considered exempt from work registration regardless of the time spent in such activity.

.6 Addicts or Alcoholics

The regular participation of an addict or alcoholic in a drug or alcoholic treatment and rehabilitation program may be verified through the organization or institution operating such program prior to granting the exemption.

.7 Cooperation

In any case, where any question of the propriety of exemption from the work requirement arises, the head of the household and the household member must cooperate in furnishing evidence to support the contention of exemption from the requirement to register. Failure to cooperate in furnishing such evidence will result in the member being required to register, or failing such registration, the household shall be denied program benefits.

CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
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(Pursuant to Government Code Section 11380.1)

63-2224 ADDITIONAL REGISTRATION REQUIREMENTS

63-2224

Each member required to register for employment will also be required to:

- a. Report for an interview to the EDD office where he is registered upon reasonable request.
- b. Respond to a request from the EDD office requiring supplemental information regarding employment status or availability for work.
- c. Report to an employer to whom he has been referred by such office.
- d. Accept a bona fide offer of suitable employment to which he is referred by such office.
- e. Continue suitable employment to which he was referred by such office. Such household member shall continue suitable employment until the employment is no longer considered suitable (by the criteria in 63-2225); the household member becomes exempt; or he is terminated from employment due to circumstances beyond his control.

63-2225 SUITABILITY OF WORK

63-2225

No employment offered will be considered suitable for any registrant if the following conditions exist. However, offers of such employment should not be denied registrants willing to accept. FSP eligibility will not be contingent upon such voluntary acceptance or retention of "unsuitable" employment.

.1 Earnings

The wages offered are less than the highest of:

- a. The applicable Federal minimum wage;

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CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.1)

63-2225 SUITABILITY OF WORK

63-2225

- b. The applicable State minimum wage;
- c. The applicable wage established by valid regulation of the Federal Government authorized by existing law to establish such regulations;
- d. \$1.30 per hour; or

The employment offered is on a piece-rate basis, and the average hourly yield the employee can reasonably be expected to earn is less than the applicable hourly wages specified above.

.2 Union Membership

The registrant, as a condition of employment, is required to join, resign from, or refrain from joining any bona fide labor organization.

.3 Strikes

The work offered is at a site subject to a strike or a lockout at the time of the offer, except that, the term "strike" shall not include a strike which has, pursuant to a court decision currently in force, been determined to be unlawful.

.4 Registrant Proof of Unsuitability

Any employment offered a particular registrant shall be considered suitable unless he can demonstrate that:

- a. The degree of risk to health and safety is unreasonable.
- b. He is physically or mentally unfit to perform the employment, as established by documentary medical evidence or reliable information obtained from other sources.

DO NOT WRITE IN THIS SPACE

**CONTINUATION SHEET
FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE**

(Pursuant to Government Code Section 11380.1)

63-2225 SUITABILITY OF WORK (Continued)

63-2225

- c. The employment offered is not in his major field of experience unless, after a period of 30 days from registration, job opportunities in his major field have not been offered.
- d. The distance of the employment from his residence is unreasonable. Determinations in this connection will be based upon estimates of the time required for going to and from work by means of transportation that is available or expected to be used, and whether or not it would be reasonable for the registrant to expend the time and cost involved for the expected remuneration from the work. In no event will commuting time per day represent more than 25 percent of the registrant's total work time.

63-2226 FAILURE TO COMPLY

63-2226

In the event a registrant fails to comply with any of the requirements in 63-2224, the EDD office will inform the EW of the facts and circumstances of each such failure by means of a CA 333. If the County Welfare Department finds that the failure to comply was without good cause, the household will be determined to be ineligible for participation in the program until the member complies with those requirements as set out in 63-2227, has become exempt from the work requirement as specified in 63-2222, or for 1 year, whichever is earlier.

.1 Good Cause

In determining whether good cause existed for failure to comply, the EW will consider all facts and circumstances, including those submitted by the household and the EDD office, existing at the time of the alleged failure. Good cause includes circumstances beyond the member's control,

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63-2226 FAILURE TO COMPLY (Continued)

63-2226

such as, but not limited to, illness, illness of another household member sufficiently serious to require the presence of the member, unavailability of transportation, and an unanticipated emergency.

63-2227 REDETERMINATION OF ELIGIBILITY

63-2227

When a household has been determined ineligible for participation due to a refusal of a member to comply with the above requirements, eligibility may be reestablished (provided the household is otherwise eligible) upon the expiration of the 1 year suspension, upon the member's becoming exempt from the work requirement, or upon the member's compliance as follows:

- a. Refusal to register--registration by the household member.
- b. Refusal to report for interview to the EDD office where he is registered--reporting for the required interview.
- c. Refusal to respond to a request from the EDD office requiring supplemental information regarding employment status or availability for work--response to the employment office correspondence.
- d. Refusal to report to an employer to whom he has been referred by such office--reporting to such employer or another employer to whom he is referred.
- e. Refusal to accept a bona fide offer of the suitable employment to which he was referred by such office--acceptance by the household member of such employment or of any other employment of at least 30 hours per week.

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63-2227 REDETERMINATION OF ELIGIBILITY (Continued)

63-2227

- f. Refusal to continue suitable employment to which he was referred by such office--returning to such employment or acceptance of any other employment of at least 30 hours per week.

63-2228 REGISTRANT REPORTING REQUIREMENTS

63-2228

Although the EDD office should notify the EW of placement actions, this does not relieve a household of its responsibility to report the acceptance of employment or receipt of income from employment from any source by any member of the household in accordance with the reporting requirements for changes in household circumstances specified in 63-2403.

63-2229 COUNTY WELFARE DEPARTMENT REPORTING

63-2229

County welfare departments shall report activities in connection with administration of the work registration requirement using Form FNS-285, Report of Reduction/Termination of Food Stamp Benefits, which is furnished to county welfare departments by FNS.

Entries to be made on the form are self-explanatory. Most of the required information is a compilation of the effects of certification actions taken as a result of receipt of information statements, which are forwarded in duplicate by EDD offices, when there has been a referral, placement action, or refusal to comply by the registrant. Other information, such as number of registrations, reductions in benefits, or terminations for refusal to register, may be acquired at the time of certification action. County welfare departments should insure that this report includes AFDC recipients who are registered for work with MA 5-95's. However, actions resulting from employment not secured through EDD should not be reported.

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63-2229 COUNTY WELFARE DEPARTMENT REPORTING (Continued)

63-2229

The EW shall maintain a listing of the number of their applicants who have completed their initial registration with EDD during the month. This information shall be used in Block 4 of the FNS-285. The EW shall also record the number of applicants who are discontinued (when such information is available) because they failed to report to an EDD office without good cause. This number shall be entered in Block 8 (remarks) of the FNS-285 with appropriate entry: "Number of persons discontinued for failure to report to an EDD office."

The dollar figures in those columns reflecting reductions in amounts of or termination of benefits are intended to be the total reductions in the monthly free coupon entitlement which result from certification action, whether or not coupons were already purchased during the month in which the action was taken. Instructions for forwarding Form FNS-285 are shown on the form. All reports should be mailed by the 10th workday of the month following the month for which information is being reported. In exceptional circumstances, an extension of this due date may be made subject to approval by FNS.

63-2230 UNLAWFUL STRIKES

63-2230

In any case of a strike which has been determined unlawful by a court decision currently in force, all households, which contain one or more members involved in the strike and affected by the court order, shall be denied or terminated participation in the program. However, if the household can demonstrate that the member or members involved in the illegal strike are not required to register for work under the exemptions listed in Section 63-2222, the household may then be certified for participation, if otherwise eligible.

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63-2230 UNLAWFUL STRIKES (Continued)

63-2230

Such a member, unless otherwise exempted, shall be subject to the work registration requirement.

63-2250 RESOURCES

63-2250

Resources are liquid and nonliquid assets. The household shall report all nonexempt resources held at the time of application and any anticipated to be received during the certification period.

The value of the resource will be its fair market value less encumbrances. The fair market value is the amount the resource would bring if for sale or rent on the current market. The value may be computed based on statements made by the applicant, unless the estimated value is unclear or inconsistent. When questionable, the EW should verify the value in accordance with 63-2255. Resources must be identified on the application in sufficient detail to permit verification. During the interview, the EW shall review with the applicant the resources reported as well as the possibility of unreported resources.

Resources held jointly by separate households shall be considered available in toto to each household, unless it can be demonstrated that such resources are inaccessible as provided for in 63-2254.7.

The resources of an ineligible alien who is not otherwise excluded from the household as a roomer, boarder, or attendant shall be treated as any other household resource in determining allowable exemptions and the total value of resources available to the household; unless the household can demonstrate that such resources are in fact inaccessible as provided in 63-2254.7. However, ineligible aliens will not count as household members for the purpose of

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63-2250 RESOURCES (Continued)

63-2250

determining the resource eligibility limit in 63-2251.1. For more detail on eligibility determinations for households with ineligible aliens, see 63-2331.

63-2251 RESOURCE ELIGIBILITY STANDARDS

63-2251

Eligibility will be denied or terminated if the value of nonexempt resources for all household members exceeds:

.1 \$3,000

For all households with two or more members when at least one such member is 60 years of age or older, the resource limit is \$3,000.

.2 \$1,500

For all other households, including all one-person households, the resource limit is \$1,500.

63-2252 NONEXEMPT RESOURCES

63-2252

The following will be considered resources in determining eligibility:

.1 Liquid Resources

Liquid resources which are readily negotiable such as, but not limited to, cash on hand or in a checking account, savings or credit union accounts, U. S. savings bonds, trust deeds, stocks and bonds; and notes receivable, except as exempt in 63-2254.7.

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63-2252 NONEXEMPT RESOURCES (Continued)

63-2252

.2 Nonliquid Resources

Nonliquid resources such as real property (buildings, land, etc.) and personal property (boats, aircraft, etc.) not specifically exempted in 63-2254.

.3 All Other Resources

Any other resource not listed as exempt in 63-2254.

63-2253 NONRECURRING LUMP SUM PAYMENTS

63-2253

Households may from time to time receive lump sums of monies from such sources as insurance policies, sale of property, retroactive Social Security or Railroad Retirement benefits, and income tax refunds.

When such monies are received in one lump sum rather than in recurring payments and the receipt of such monies could not be reasonably anticipated by the household, such sums are to be treated as a resource to the household when received. Recurring and anticipated payments from similar sources, however, will be counted as income when received, as these payments will not qualify as nonrecurring lump sum payments.

The household must report or cause to be reported to the local certifying office the receipt of lump sum payments within 10 days from the date of receipt as required in 63-2403.

.1 Action on Cases Receiving Lump Sum Payments

Upon obtaining information that a certified household has received a nonrecurring lump sum payment, the EW shall review the case file in order

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63-2253 NONRECURRING LUMP SUM PAYMENTS (Continued)

63-2253

to determine if the amount received in addition to the amount of resources listed on the application will exceed the resource limitations for the particular household. The appropriate action, as outlined below, must be completed within 10 days from the date the report was received:

- a. If the amount does not exceed the limitation, the case file should be annotated to document the information received. No further action is required.
- b. If the total amount does exceed the allowable resource limitation, the household should be given an opportunity to update its entire resource statement. Notification to the recipient by DFA-377 can be one means to give the household such opportunity, provided that the DFA -377 specifically states that the household has the right to update its resource statement. If it declines to do so or the amount of resources still exceeds the limit, the EW shall take action to terminate the household's certification as required in 63-2404.

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63-2254 EXEMPT RESOURCES

63-2254

Only the following resources will not be considered in determining eligibility:

.1 Home and Lot

The home and lot normal to the community. The county welfare department may establish standards to determine if the size of the lot is normal to the community.

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63-2254 EXEMPT RESOURCES (Continued)

63-2254

.2 Vehicles

One currently licensed vehicle used for household transportation and any other vehicles necessary for the employment of employed members of the household.

.3 Personal Effects

Personal effects including such items as clothing and jewelry.

.4 Household Goods

Household goods including such items as furniture and appliances.

.5 Life Insurance and Pension Funds

The cash value of life insurance policies and pension funds.

.6 Income Producing Property

Property which is producing income consistent with its fair market value, for instance, investment property returning rental income normal for its use; or other property essential to the employment of a household member such as the tools of a tradesman; machinery, livestock, or land of a farmer; and goods, property, vehicles, etc., used by self-employed persons in their self-employment enterprise. Trust deeds shall not be considered as exempt resources (see Section 63-2252.1).

.7 Inaccessible Resources

The cash value of resources not accessible to the household such as, but not limited to, irrevocable trust funds, property in probate, and notes receivable which cannot be readily liquidated.

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63-2254 EXEMPT RESOURCES (Continued)

63-2254

.8 Prorated Income

Money which has been prorated as income for self-employed persons (see Section 63-2324) or students (see Section 63-2328).

.9 Indian Lands

Indian lands held jointly with the Tribe or land that can be sold only with the approval of the Bureau of Indian Affairs.

.10 Relocation Assistance

Payments made under Title II of the Uniform Relocation Assistance and Real Properties Acquisition Act of 1970.

.11 Domestic Volunteer Service Act

Payments made to volunteers participating in programs sponsored by the ACTION Agency.

.12 WIC Program

The value of benefits received under the Special Supplemental Food Program for Women, Infants, and Children (WIC Program).

63-2255 VERIFICATION OF NONEXEMPT RESOURCES

63-2255

Verification of nonexempt resources is not required unless the EW feels that the declared value has not been accurately estimated by the household or that the household has not declared all nonexempt resources, based on the household's previous economic condition. When verification is required, the household must cooperate in providing the information needed to complete the verification, including providing any authorization needed to secure such information.

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63-2255 VERIFICATION OF NONEXEMPT RESOURCES (Continued)

63-2255

Public assistance rules and procedures may be used to verify or determine the value of real or personal property when such rules or procedures are designed to compute the fair market value. The county welfare department may not use public assistance rules designed to restrict disposal of excess resources to determine eligibility for food stamp benefits.

63-2256 VERIFICATION OF LIQUID RESOURCES

63-2256

The EW may evaluate the household's past circumstances and present living standards to determine the possible existence of liquid assets if none are reported. Verification may be sent through nearby banks and savings institutions to establish that the household does not have accounts at such institutions. The verification will reveal the amount of any liquid assets held by the household and will show any recent activity (withdrawal, deposit) in the account. The EW may inquire where the household cashes checks, or what banks or institutions were used for past transactions, or what source of financing was used for past transactions or recent major purchases.

63-2257 VERIFICATION OF NONLIQUID RESOURCES

63-2257

The following techniques may be used to verify the value of nonexempt nonliquid resources or to show that property is producing income commensurate with its fair market value, when such information is questionable:

.1 Personal Property

Although the value of other items of personal property may be verified from time to time, emphasis is placed on determining the value of nonexempt vehicles as a resource. The primary verification for

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63-2257 VERIFICATION OF NONLIQUID RESOURCES (Continued)

63-2257

ownership is clearance with the Department of Motor Vehicles (DMV).

For example, in the case of motor vehicles, DMV can establish whether the recipient owns a vehicle and the value of such vehicle. This will aid in evaluating the effect of car ownership on eligibility. DMV can also be used to establish nonownership of other vehicles.

The National Automobile Dealers' Used Car Guide or "blue book" of car valuations can be used to establish the value of motor vehicles. Car dealers can also give an approximate valuation based on make, year, and model of the vehicle. When such sources are used, the EW should account for encumbrances and the condition of the vehicle (particularly if it is inoperative) before assigning a value.

.2 Income Producing Property

When it is necessary to determine if property is producing income consistent with its fair market value, the EW may utilize AFDC criteria or contact local realtors, local tax assessors, the Small Business Administration, Farmer's Home Administration, or other similar sources to determine the prevailing rate of return, e.g., square foot rental, for similar usage of real property in the area.

If the EW determines that the property is not producing income consistent with its fair market value, for instance, the property is being leased for a token payment, such property would be counted as a resource. However, if the property was leased for a return that was comparable to other property in the area leased for similar purposes, it would be considered as producing income consistent with its fair market value and would not be considered a resource.

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63-2257 VERIFICATION OF NONLIQUID RESOURCES (Continued)

63-2257

All findings should be thoroughly documented in the case file.

Property exempt as essential to employment need not be producing income consistent with its fair market value. For instance, the land of a farmer is essential to his employment; a good or bad crop year would not affect the exemption of such property as a resource.

63-2260 INCOME

63-2260

Except for the exclusions specified in 63-2263, all payments received by or made on behalf of household members will be income for food stamp purposes. The income considered is normally that received over the period of certification. As this is generally a future period, the income considered is that anticipated by the household.

In addition, adjustments in the form of deductions are allowed for certain household expenses which detract from the household's ability to meet normal costs of living.

63-2261 INCOME ELIGIBILITY STANDARDS

63-2261

The income eligibility standards are used to determine the eligibility of NA households. These standards are based on the adjusted net monthly food stamp income of the household. This adjusted monthly income is computed by adding together nonexcluded income received by all household members and then subtracting the deductions provided in Section 63-2264. The adjusted monthly income represents the income available to the household for normal expenses, including food, and is used to determine the purchase requirement for all

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63-2261 INCOME ELIGIBILITY STANDARDS (Continued)

63-2261

households. To obtain the monthly amount of nonexcluded income, multiply the weekly income by 4.33 or use Exhibit 63-2261-A.

To be eligible for food assistance, the adjusted monthly income of NA households shall not exceed the maximum allowable monthly income shown in Exhibit 63-2261-B.

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Exhibit A 63-2261 USE OF THE 4.33 TABLE

Exhibit A 63-2261

A county may round off weekly income to the nearest dollar before using the 4.33 table. For amounts between 1¢ and 49¢ ~~round~~ reduce to the lower dollar figure, for amounts of 50¢ or more raise to the next highest dollar. E.G., an income of \$88.49 per week converts to \$381.04, an income of \$88.50 converts to \$385.37.

**THE 4.33 TABLE
(To Compute Monthly Income from Weekly Income)
INCOME**

(All Amounts Rounded to Nearest Cent)

Week	Month	Week	Month	Week	Month	Week	Month
\$ 1.00 - \$ 4.33		\$14 - \$ 60.62		\$43 - \$186.19		\$72 - \$311.76	
1.50 - 6.50		15 - 64.95		44 - 190.52		73 - 316.09	
2.00 - 8.66		16 - 69.28		45 - 194.85		74 - 320.42	
2.25 - 9.74		17 - 73.61		46 - 199.18		75 - 324.75	
2.50 - 10.83		18 - 77.94		47 - 203.51		76 - 329.08	
2.75 - 11.91		19 - 82.27		48 - 207.84		77 - 333.41	
3.00 - 12.99		20 - 86.60		49 - 212.17		78 - 337.74	
3.25 - 14.07		21 - 90.93		50 - 216.50		79 - 342.07	
3.50 - 15.16		22 - 95.26		51 - 220.83		80 - 346.40	
3.75 - 16.24		23 - 99.59		52 - 225.16		81 - 350.73	
4.00 - 17.32		24 - 103.92		53 - 229.49		82 - 355.06	
4.25 - 18.40		25 - 108.25		54 - 233.82		83 - 359.39	
4.50 - 19.49		26 - 112.58		55 - 238.15		84 - 363.72	
4.75 - 20.57		27 - 116.91		56 - 242.48		85 - 368.05	
5.00 - 21.65		28 - 121.24		57 - 246.81		86 - 372.38	
5.25 - 22.73		29 - 125.57		58 - 251.14		87 - 376.71	
5.50 - 23.82		30 - 129.90		59 - 255.47		88 - 381.04	
6.00 - 25.98		31 - 134.23		60 - 259.80		89 - 385.37	
6.25 - 27.06		32 - 138.56		61 - 264.13		90 - 389.70	
6.50 - 28.15		33 - 142.89		62 - 268.46		91 - 394.03	
7.00 - 30.31		34 - 147.22		63 - 272.79		92 - 398.36	
7.50 - 32.48		35 - 151.55		64 - 277.12		93 - 402.69	
8.00 - 34.64		36 - 155.88		65 - 281.45		94 - 407.02	
8.50 - 36.81		37 - 160.21		66 - 285.78		95 - 411.35	
9.00 - 38.97		38 - 164.54		67 - 290.11		96 - 415.68	
10.00 - 43.30		39 - 168.87		68 - 294.44		97 - 420.01	
11.00 - 47.63		40 - 173.20		69 - 298.77		98 - 424.34	
12.00 - 51.96		41 - 177.53		70 - 303.10		99 - 428.67	
13.00 - 56.29		42 - 181.86		71 - 307.43		100 - 433.00	

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(Pursuant to Government Code Section 11380.1)

Exhibit B 63-2261 INCOME ELIGIBILITY STANDARDS

Exhibit B 63-2261

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Household	Maximum Allowable	Household	Maximum Allowable
Size	Income	Size	Income
1	\$194	11	\$1072
2	273	12	1145
3	393	13	1218
4	500	14	1291
5	593	15	1364
6	680	16	1437
7	767	17	1510
8	853	18	1583
9	926	19	1656
10	999	20	1729
	Each additional member		+73

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63-2262 NONEXCLUDED INCOME

63-2262

For the purposes of the Food Stamp Program, income will mean the following when received by household members:

.1 Wages

All compensation for services performed as an employee, except as excluded in 63-2263.1. Generally such income will entitle the household to deductions allowed in 63-2264.1 and 63-2264.2.

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63-2262 NONEXCLUDED INCOME (Continued)

63-2262

.2 In-Kind Shelter

The actual value of housing received by a household member from his employer as income in kind, in lieu of or supplemental to his income. In no event shall more than \$25 of the actual value be considered income to any one household. No value will be assigned to in-kind housing which has been condemned or declared substandard under Federal, State, or local housing codes.

The value assigned to such housing shall be its rental value as comparable with similar housing in the community. The value will not include the utility payments made on behalf of the household when such payments are identifiable and separate. Such payments shall be included as vendor payments and counted separately as income.

When two or more households occupy the same shelter, the actual value as determined above shall be evenly divided among the households; and that amount or the \$25 maximum, whichever is lower, counted as income for each household.

EXAMPLE

Two households share a house provided free by their common employer. The rental value of the housing is \$80 per month. Evenly divided, each household would be assigned an actual value of \$40. However, as this exceeds the maximum, only \$25 would be counted as income to each household.

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63-2262 NONEXCLUDED INCOME (Continued)

63-2262

EXAMPLE

Two households share a house provided free by their common employer. The rental value of the housing is \$32 per month. Evenly divided, each household would be assigned an actual value of \$16. As this is within the \$25 maximum, \$16 would be the income assigned to each household. This would not be altered even if only one household applied for food stamps.

.3 Self-Employment Income

Net adjusted income from self-employment, which will be the total gross income from such enterprise (including the total gain received from the sale of any capital goods or equipment related to such enterprise) less the cost of producing that income. See 63-2324 for procedures to determine the adjusted income from self-employment.

.4 Training Allowances

Payments received from or paid on behalf of the household by the Work Incentive Program, Manpower Training Programs, or similar vocational and rehabilitation programs sponsored by State or local governments. Households receiving training allowances are entitled to the deduction provided in 63-2264.1.

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63-2262 NONEXCLUDED INCOME (Continued)

63-2262

.5 Assistance Payments

Payments received from federally aided public assistance programs, general assistance programs, or other assistance programs based on need. See 63-2322 for additional procedures in determining the eligibility of households receiving assistance payments.

.6 Foster Care Payments

The total payment made to a household on behalf of a legally assigned foster child or adult.

.7 Annuities, Pensions

Payments received as an annuity; pensions; retirement or disability benefits; veteran's, workmen's or unemployment compensation; old-age, survivor's, or strike benefits.

.8 Educational Grants

Scholarships, educational grants, fellowships, deferred payment loans, and veteran's educational benefits. Households receiving such payments should have their eligibility determined as specified in 63-2328.

.9 Support and Alimony

Payments received for support and alimony.

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63-2262 NONEXCLUDED INCOME (Continued)

63-2262

.10 Vendor Payments

Payments in money, except those for medical costs, made on behalf of the household by a person other than a member of the household. Such payments may be made by private or government sources, for instance, housing allowances from Housing and Urban Development (HUD) would be an example of a government vendor payment. To qualify as a vendor payment, there must be an identifiable payment on the household's behalf, the major benefit from which accrues to the household rather than the payer. If there is no identifiable payment or if the major benefit from such payment accrues to the payer and not the household, such benefit shall be considered income in kind and not income to the household.

EXAMPLE

A household is living rent-free in a house owned by a nonhousehold member; for instance, a son may let his parents live rent-free in a house he owns. The son may make mortgage payments on that house but the major benefit from those payments accrues to him in the form of equity in the house rather than to the parents as free rent. The use of the house in this case would be considered income in kind and not income to the parents.

On the other hand, if the son rents a house in which he lets his parents live rent-free, the son receives no benefits from the rental payments. In this case the payments are vendor payments and count as income to the parents.

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63-2262 NONEXCLUDED INCOME (Continued)

63-2262

.11 Prizes, Gifts, Awards

Money payments as prizes, gifts, or awards when such payments are received for the expenses of education, for support, or for maintenance. Such money payments when received for purposes other than education, support, or maintenance shall be excluded as lump sum payments under 63-2263.9. Non-cash prizes, gifts, or awards are excludable as income in kind under 63-2263.4.

.12 Roomer Payment

The total amount of a roomer's payment to the household.

.13 Boarder Payment

The total amount of a boarder's payment to the household minus the value of a one-person coupon allotment. Individuals must qualify as a boarder under 63-2102.2. The deduction of a coupon allotment will then be allowed for each such boarder representing that portion of the boarder's payment required for the household to provide the boarder his food needs. Persons receiving meals and lodging but not making the minimum payment shall be treated as any other household member. Persons receiving board only but not making the minimum payment to qualify as boarders will, therefore, not be allowed the deduction of the coupon allotment, but will have their total payment to the household counted as household income.

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63-2262 NONEXCLUDED INCOME (Continued)

63-2262

.14 Income of Ineligible Aliens

Ineligible aliens excluded from the household as roomers or boarders shall have their payments to the household treated in the same manner as any other roomer or boarder payment, including the appropriate deduction for boarders in 63-2262.13. Ineligible aliens who are an integral part of the economic unit of the household shall have their total income minus a deduction for a one-person coupon allotment included as income to the household unless the household can demonstrate that such income is not accessible for their needs. The eligibility of households containing an ineligible alien should be determined in accordance with 63-2331.

.15 All Others

Payments received from government-sponsored programs such as Agricultural Stabilization and Conservation Service programs; rental income, dividends, interest, royalties, or similar recurring payments; payments received as an advance or reimbursement for volunteer or work-related services; payments to the household from a wage earner absent from the household because of his job; or all other payments not specifically excluded in 63-2263 from any source whatever which may be construed to be a gain or benefit.

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63-2263 INCOME EXCLUSIONS

63-2263

Income from certain sources will be excluded for food stamp purposes under mandate of law. Other income has been excluded for administrative reasons. Excluded income ordinarily need not be verified; however, for households at zero or very low income levels, the presence of excludable income may explain their continued existence at apparent no income levels. Only the following payments received by household members will not be considered income to the household.

.1 Earnings of Child

Income received as compensation for services as an employee or income from self-employment by a child residing in the household who is under 18 years of age and who is attending at least halftime, as defined by the institution, a kindergarten or preschool, a grade school, high school, vocational school, college, or university.

This exclusion does not apply to the training allowances or educational grants received by the child. Nor will it apply if the student is an emancipated minor or living alone as he no longer can be considered a child residing in the household.

The exclusion of this income will not be altered by temporary interruptions in the school attendance, such as semester or summer vacations, provided the child's enrollment will resume following the break.

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63-2263 INCOME EXCLUSIONS (Continued)

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.2 Relocation Assistance

Payments received under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The following payments, limited to federal or federally assisted projects, are included under Title II:

- a. Payments to persons displaced as a result of the acquisition of real property.
- b. Relocation payments to a displaced homeowner toward the purchase of a replacement dwelling. Such payment may only be to a displaced owner who purchases and occupies a dwelling within one year following displacement.
- c. Replacement housing payments to displaced persons not eligible for a homeowner's payment.

.3 Irregular Income

Income which is received too infrequently or irregularly to be reasonably anticipated as available during a three-month period, provided such infrequent or irregular income of all household members will not exceed \$30 in a three-month period. Such income may be from odd jobs where the household cannot predict the frequency of work or receipt of payments except to estimate it as under \$30 in a three-month period. Also, prizes, gifts, awards, or vendor payments, such as purchase requirement payments made by Emergency Food and Medical Services, which are not anticipated and unlikely to be repeated, and are under \$30 for the quarter, may be excluded under this provision.

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63-2263 INCOME EXCLUSIONS (Continued)

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.4 In-Kind Payments

Any gain or benefit which is not in money, such as produce from a garden, except for shelter from an employer to an employee as provided in Section 63-2262.2. In addition, certain identifiable payments on behalf of the household by nonhousehold members when the major benefit of such payment accrues to the payer rather than the household shall be considered in-kind payments. (See Section 63-2262.10 for example.) Free shelter received from a source other than an employer shall be considered an in-kind payment.

.5 Medical Vendor Payments

Payments in money for medical costs made on behalf of the household by a person other than a member of the household.

.6 Loans

All loans, except loans on which repayment is deferred until completion of the applicant's education which are counted as income under Section 63-2262.8. Loans should not be confused with advances on income which are counted as income when received (see Section 63-2325.1).

.7 Domestic Volunteer Service Act

Payments received by volunteers for services performed in programs stipulated in the Domestic Volunteer Service Act of 1973. Programs include Foster grandparents, Older Americans Community Service Programs, Retired Senior Volunteer Program, Service Corps of Retired Executives, VISTA, and other programs coordinated by ACTION.

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63-2263 INCOME EXCLUSIONS (Continued)

63-2263

.8 WIC

Payments or benefits received under the WIC Program.

.9 Nonrecurring Lump-Sum Benefits

Nonrecurring lump-sum payments such as one-time payments from insurance settlements; sale of property except as related to self-employment in Section 63-2262.3; cash prizes, awards, or gifts other than those specified in Section 63-2262.11; inheritances; retroactive Social Security and Railroad Retirement pension payments; income tax refunds; and similar payments. Any of the above payments received in recurring rather than lump-sum payments will count as income. Nonrecurring lump-sum payments will be treated as a resource under Section 63-2253.

63-2264 INCOME DEDUCTIONS

63-2264

The following expenses will be the only deductions allowed to arrive at a household's adjusted monthly income. To be eligible for a deduction, the expense must be incurred by and paid for a household member, except where noted. For the purpose of determining allowable deductions, ineligible aliens who are an integral part of the household's economic unit shall be considered as any other household member. The household must pay the expense or anticipate payment during the certification period in which the deduction is claimed. The expense is still deductible even if payment is made from resources or nonexcluded vendor payments.

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63-2264 INCOME DEDUCTIONS (Continued)

63-2264

.1 Work Allowance

Ten percent of income received as compensation for services performed as an employee or monies received as a training allowance not to exceed \$30 per month per household. The 10 percent shall be computed based on gross income from the following sources prior to any mandatory or other deductions:

- a. Compensation for services as an employee (see Section 63-2262.1) or training allowances (see Section 63-2262.4).
- b. Any income attributable to the furnishing of housing to a household by an employer (see Section 63-2262.2). Any vendor payments made on behalf of an employee by an employer or a trainee by the training program or sponsor.

The 10 percent deduction does not apply to the following income:

- a. Monies previously listed as excluded shall not be used in calculating the amount of this deduction, including income excluded under Section 63-2263.1.
- b. Income received as compensation from a self-employment enterprise.
- c. Monies received as scholarships, deferred payment loans, or the expenses of education or from any other source or which are not included in the definition of training allowances (see Section 63-2262.4).

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63-2264 INCOME DEDUCTIONS (Continued)

63-2264

The 10 percent deduction is intended to cover those expenses incidental to employment and/or training such as transportation, meals away from home, special clothing and other incidentals necessary for such employment or training.

.2 Mandatory Deductions

Mandatory deductions from earned income which are not elective at the option of the employee which are for local, State, or Federal income tax withholding payments, Social Security taxes, mandatory retirement payments, and mandatory union dues shall be allowed. The payment of union dues shall be considered mandatory even in those states with right to work laws. In addition, mandatory deductions may include amounts garnished from wages only to the extent that these amounts would be allowable deductions if paid separately under any of the following categories.

.33 Medical Expenses

The total costs for medical expenses, exclusive of special diets, when the cost exceeds \$10 per month per household shall be allowed. When the cost does exceed \$10 per month, the total cost for medical expenses shall be deducted. If the cost is only \$10 or less, no deduction will be allowed.

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63-2264 INCOME DEDUCTIONS (Continued)

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Medical costs include the payment for medical or dental services; hospitalization or nursing care, including costs specified in (a.) below; prescribed drugs, including insulin or other over-the-counter medication when prescribed by a medical practitioner; health and hospitalization policy payments (excluding costs of health and accident or income maintenance policies); medicare payments; costs of prosthetics, including the costs of securing and maintaining a seeing eye dog as specified in (b.) below; reasonable cost of transportation necessary to secure medical treatment or services; and the cost as determined in (c.) below of an attendant, housekeeper, or child care services necessary due to age, infirmity, or illness.

- a. Payments by the household for hospitalization or nursing care of an individual who was a household member immediately prior to entering a hospital or nursing home shall be deductible.
- b. For households which incur the expense of a seeing eye dog, the cost of dog food and veterinarian bills and other maintenance costs may be included in the computation of the medical expense. If actual costs are not available, the county may use DBP's standard deduction of \$18 per month plus veterinarian bills for the use and maintenance of a seeing eye dog.

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63-2264 INCOME DEDUCTIONS (Continued)

63-2264

c. The amount deducted for an attendant or housekeeper who is necessary for medical care reasons will be the amount actually paid to the attendant or housekeeper. In addition, for those households who furnish the attendant or housekeeper the majority of his meals, a deduction equal to the value of the one-person monthly coupon allotment will also be made.

Deductions for so-called "medicine chest" supplies, not covered above, may not be made. In addition, the amount to be deducted will be that amount actually paid during the certification period, even though part may be reimbursable through insurance. Reimbursement payments will be treated as lump-sum payments when received in accordance with Section 63-2253.

.4 Child Care

Payments for the care of a child or other persons when necessary for a household member to accept or continue employment or training or education which is preparatory for employment. The amount deducted for an attendant or housekeeper who is necessary for such care will be the amount actually paid to the attendant or housekeeper. In addition, for those households who furnish the attendant or housekeeper the majority of his meals, a deduction equal to the one-person monthly coupon allotment shall be made.

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63-2264 INCOME DEDUCTIONS (Continued)

63-2264

.5 Tuition and Mandatory Fees

Tuition and mandatory fees assessed by educational institutions. No deduction shall be allowed for any other educational expenses such as, but not limited to, the expense of books, school supplies, meals at school, and transportation. Moreover, no deduction shall be permitted for educational expenses of a student who is not a household member during the certification period in which the deduction is claimed. For additional instructions on determining eligibility of households with students see Section 63-2328.

.6 Support and Alimony Payments

Support and alimony payments which are court ordered. Formal arrangements made through the local District Attorney's Office are acceptable in lieu of a formal court order. Such payments made voluntarily or in amounts which exceed the order of the court shall not be deducted except as specified in the court order or formal agreement.

.7 Unusual Expenses

Unusual expenses incurred due to an individual household's disaster or casualty losses which could not be reasonably anticipated by the household. A disaster loss can affect one or a number of households, although not so many as to necessitate a disaster declaration from FNS. In such situations, the damage is generally severe and households are forced to evacuate their homes. Occasionally, evacuation will also result from the threat of a natural disaster, and this too can result in unusual household expenses. A casualty loss on the other hand will rarely affect more than one household and generally the household will be able to remain in the home.

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63-2264 INCOME DEDUCTIONS (Continued)

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.71 Unusual expenses resulting from a household's disaster or casualty losses will include:

- a. The cost of replacing or repairing essential items of property damaged or destroyed through vandalism, theft, fire, flood, tropical storms, or by the elements.
- b. The expense incurred in moving from an area evacuated due to the threat or onset of a natural disaster and the cost of protecting property left in an evacuated area.
- c. The cost of temporary shelter when a household is forced to leave its normal residence as a result of a natural disaster or casualty loss. Payments which such household continues to make on the normal residence will be included as part of the shelter costs and may be deductible under Section 63-2264.8.
- d. In addition, an unusual expense will include funeral costs of individuals who were household members prior to death, including those who were household members prior to hospitalization or other care; and of any person for whom the household would normally have financial responsibility. A deduction will be made for only that portion of such costs which are not reimbursable through Social Security, veteran's benefits, insurance, or the State government; and the cost appears reasonable, for instance, the expense of a wake would not be a reasonable cost.

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- e. The expense allowed in categories a, b, c, above, will be that paid or anticipated to be paid during the certification period in which claimed, even though part may be reimbursable through insurance. Reimbursement payments will be treated as a lump-sum payment when received in accordance with Section 63-2253. In addition, amounts paid in goods or money by a private or public charitable organization will not be deductible.

.72 Unusual expenses will not be allowed for:

- a. The cost for repair or replacement of property, clothing, etc., which becomes necessary due to mechanical failure, wear and tear, obsolescence, or any other occurrence not directly connected to the individual household disaster.
- b. The cost for repair or replacement of any nonessential item, such as, but not limited to, a car or other vehicle.
- c. The cost of food destroyed or lost as a result of an individual disaster, except as provided below:

.73 Households which incur unusual expenses because of a disaster or casualty loss are in no way exempt from normal certification requirements. They must complete the entire application and register for work as any other household. The EW shall not assume the total absence of income or resources for households suffering a disaster or casualty loss as in many instances the employment and resources of such households are not affected by the disaster. When an applicant household claims an unusual expense, the EW shall:

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63-2264 INCOME DEDUCTIONS (Continued)

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- a. Review the application to assure that all program requirements have been met and that the unusual expenses being claimed are allowable. If the household is temporarily sharing shelter with another household because of damage to their normal residence, each household will be treated as separate economic units even though they may not purchase and store food separately.
- b. Review household circumstances in terms of the emergency criteria provided in Section 63-2313 to determine if households qualifying as zero purchase after the normal income computation may be certified for 30 days without completing verification. However, the EW shall verify that the disaster or casualty loss did occur. The unusual and other expenses used in the income computation shall be only those expected to be paid during the 30-day period of certification. Households may estimate such expenses and if they appear reasonable, no verification is required.
- c. However, when the above households submit an application for certification subsequent to their 30-day certification or for any household where the income computation does not result in a zero purchase level, complete the normal verification requirements including the verification of unusual expenses which appear questionable.
- d. Obtain supervisory approval for all applications where an unusual expense has been allowed.

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63-2264 INCOME DEDUCTIONS (Continued)

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.74 In the event that food coupons or food purchased with such coupons are lost, stolen, or destroyed, the household may request a second allotment of coupons be authorized during the month in which the individual disaster occurred. In making a determination, the EW shall, after verification of such loss, determine whether the household will need additional food supplies prior to the household's next regularly scheduled issuance. The amount of coupons issued shall be that amount which will be required by the household for the period of time remaining until the household's next issuance date. In no event may less than a quarter monthly allotment be provided. An amount equal to the original purchase requirement shall be deducted to determine the income on which coupons will be issued. No deduction or second issuance may be made for a household after the next scheduled issuance date.

.8 Shelter Costs

Shelter costs in excess of 30 percent of the household income are to be calculated after all other allowable deductions have been made.

Shelter costs will include only the following:

- a. Payments made on the shelter occupied by the household, whether such payment is made as rent, mortgage, or other payment leading to the ownership of such shelter, including interest on such payments. This shall include first and last month's rent when paid or expected to be paid during the certification period.

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63-2264 INCOME DEDUCTIONS (Continued)

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- b. Payments for heating, cooking fuel, electricity, water and sewer, garbage and trash collection fees and the basic service fee for one telephone (including tax on the basic fee), whenever such payments are made separately from shelter payments in a. above.
- c. Property taxes, State and local assessments, and insurance on the structure itself, but not separate costs for insuring furniture or personal belongings.
- d. Any of the above costs when paid by vendor payments which were included as income.

Not to be included in shelter costs are:

- a. Fees charged for deposit on utilities including telephone, unless these deposits are applied directly against the individual's account, or damage.
- b. Repairs or replacement of any appliance or any portion of the home due to wear and tear or mechanical problems.
- c. Any costs related to housing not actually occupied by the household, except when such shelter has been temporarily abandoned by the household as a result of a natural disaster or casualty loss (see Section 63-2264.7).

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63-2264 INCOME DEDUCTIONS (Continued)

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The county may develop, subject to DBP approval, standard utility allowances for use in calculating shelter costs. DBP approval is contingent upon agreement by the county that reviews of such standards will be made on an annual basis to reflect deviations revealed by quality control, county welfare department or State surveys of utility companies, or based on other methods developed by the county and approved by DBP. The county shall develop different standards to reflect seasonal variations in utility costs (for instance, spring and summer rates then fall and winter rates), unless it can demonstrate that such variations do not warrant separate standards. In addition, the county may have more than one standard allowance to reflect other types of variations (e.g., different standards for urban and rural areas).

However, in all instances, the actual utility costs must be used for any household that so requests and can verify by the presentation of paid bills for previous months that such utility bills are higher than the standards and can reasonably be predicted to continue for the certification period. This request may be made at time of initial application and at any subsequent certification; however, households may not ask to switch between actual costs and the utility standard or vice versa, during a certification period.

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63-2264 INCOME DEDUCTIONS (Continued)

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The following simplified table may be used to determine excess shelter costs, if any. Locate the correct income bracket on the table. The income figure to be used will be income minus all other allowable deductions. The shelter standard for this income bracket represents the 30 percent figure. If the household's total shelter costs exceed the shelter standard, subtract the shelter standard from shelter costs to determine excess shelter costs.

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63-2264 INCOME DEDUCTIONS (Continued)

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<u>Income</u>	<u>Shelter Standard</u>	<u>Income</u>	<u>Shelter Standard</u>
\$ 0 - \$ 29.99	\$ 0	\$420 - \$429.99	\$126
30 - 39.99	9	430 - 439.99	129
40 - 49.99	12	440 - 449.99	132
50 - 59.99	15	450 - 459.99	135
60 - 69.99	18	460 - 469.99	138
70 - 79.99	21	470 - 479.99	141
80 - 89.99	24	480 - 489.99	144
90 - 99.99	27	490 - 499.99	147
100 - 109.99	30	500 - 509.99	150
110 - 119.99	33	510 - 519.99	153
120 - 129.99	36	520 - 529.99	156
130 - 139.99	39	530 - 539.99	159
140 - 149.99	42	540 - 549.99	162
150 - 159.99	45	550 - 559.99	165
160 - 169.99	48	560 - 569.99	168
170 - 179.99	51	570 - 579.99	171
180 - 189.99	54	580 - 589.99	174
190 - 199.99	57	590 - 599.99	177
200 - 209.99	60	600 - 609.99	180
210 - 219.99	63	610 - 619.99	183
220 - 229.99	66	620 - 629.99	186
230 - 239.99	69	630 - 639.99	189
240 - 249.99	72	640 - 649.99	192
250 - 259.99	75	650 - 659.99	195
260 - 269.99	78	660 - 669.99	198
270 - 279.99	81	670 - 679.99	201
280 - 289.99	84	680 - 689.99	204
290 - 299.99	87	690 - 699.99	207
300 - 309.99	90	700 - 709.99	210
310 - 319.99	93	710 - 719.99	213
320 - 329.99	96	720 - 729.99	216
330 - 339.99	99	730 - 739.99	219
340 - 349.99	102	740 - 749.99	222
350 - 359.99	105	750 - 759.99	225
360 - 369.99	108	760 - 769.99	228
370 - 379.99	111	770 - 779.99	231
380 - 389.99	114	780 - 789.99	234
390 - 399.99	117	790 - 799.99	237
400 - 409.99	120	800 - 809.99	240
410 - 419.99	123	810 - 819.99	243

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2 63-2264 INCOME DEDUCTIONS (Continued)

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For households in excess of \$819.99, use the following formula:
Extend income bracket in \$10 intervals and the shelter standard
in \$3 intervals. The shelter standard for the household would
be the amount determined by extending the table to include the
amount of the household's net income. Example: If a household's
net income is \$825, the income bracket would be extended from
\$820-829.99 and the shelter standard would be increased to
\$246, etc.

63-2265 VERIFICATION OF INCOME

63-2265

Since income is the basic criterion set by Congress in determining eligibility
for program participation, it must be verified. Verification in many cases
may consist merely in verifying and documenting past income which may
reasonably be expected to continue during future months of participation.
In other cases, an applicant household will be aware of probable changes in
income during the certification period which should be verified and taken
into account in establishing eligibility and the basis of coupon issuance.

.1 Initial Certification

Gross nonexempt income from all sources and mandatory deductions from
income must be verified. Other income deductions must be verified only
when the information supplied by the applicant is inconsistent or
questionable.

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63-2265 VERIFICATION OF INCOME (Continued)

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.2 Subsequent Certifications

The above verification criteria apply at subsequent certifications except that if the subsequent certification occurs prior to or within 30 days of the expiration of the previous certification, income need not be reverified unless the source of income has changed or the amount of income reported has changed by more than \$25. However, any inconsistencies within the application itself or in comparison to previous applications would require verification.

.3 Income Verification Techniques

For PA recipients who are members of a NA household, the PA case file will normally be used as verification.

The primary source of verification for earnings and other income of other than assistance recipients is the applicant himself. Verification of such income may be made from documentary sources such as pay stubs or from verbal statements from the employer or agency from which the income is received or from other persons who have knowledge of the household's income. In all instances, the method of verification must be recorded in the case file.

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63-2265 VERIFICATION OF INCOME (Continued)

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In addition to verifying reported income, the EW may have occasion to explore the possibilities of unreported income. When the applicant states that he has no earnings or other income and the applicant is employable or it appears he may be eligible for other benefits such as Retirement, Survivors, and Disability Insurance (RSDI), unemployment compensation, or public assistance, it may be necessary to verify that he is not receiving income from such sources. Additional situations in which the possibility of unreported income should be investigated are difficulty in finding the head of the household at home, seasonal employment in the area which is at its peak, shelter costs higher than reported income, or similar questionable situations.

In verifying earned income of an individual, the following documents or records are generally available through the applicant:

Pay stubs

Pay envelope

Employee's W-2 Form

Wage tax receipts

State or Federal income tax return

Self-employment bookkeeping records

Sales and expenditure records

Verification from other sources might include:

Employer's wage records

Statement from employer

Employment Development Department

Franchise Tax Board

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63-2265 VERIFICATION OF INCOME (Continued)

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In verifying other income to the household, the following documents or records are generally available through the applicant:

RSDI award letter (changes in benefits will not always be reflected)

Benefit payment check

Unemployment Compensation award letter

Pension award notice

Veterans Administration award notice

Correspondence on benefits

Income tax records

Railroad Retirement award letter

Support and alimony payments evidenced by court order, divorce or separation papers, contribution check

Verification from other sources might include:

BENDEX System (See Section 63-2265.4)

Social Security (Form SSA-1610)

Social Security District Office files

Employment Development Department - Unemployment Compensation Section

Employer's records

Union records

Workmen's Compensation records

Veterans Administration

Insurance company records

Tax records

Railroad Retirement Board records

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63-2265 VERIFICATION OF INCOME (Continued)

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.4 Social Security Income

The BENDEX system is not currently in use in California for Food Stamp documentation. Its usefulness is currently under study and its inclusion here is meant to develop understanding and encourage comment from counties.

A proposed BENDEX model is as follows:

The Beneficiary Data Exchange (BENDEX) system is a supplemental method of verification for use by county welfare departments. It is not necessarily to be used for all households who receive income from Social Security benefits. It may be possible to verify Social Security benefits based on documentation furnished by the applicant household. In such situations, verification through BENDEX would not be necessary.

When verification of a NA household's reported receipt of Social Security benefits is accomplished through the BENDEX system, household income for certification and/or review purposes will be calculated using the Social Security benefit amount reported by the household, pending the receipt of the BENDEX verification. Such households must have all other income verified and documented in accordance with the procedures in Section 63-2265.

Discrepancies between benefit information supplied by the household and the BENDEX verification will be reconciled through the use of procedures currently established between the Social Security Administration, Social and Rehabilitation Service, and the Department of Benefit Payments. The procedures include EW contact with the affected household.

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63-2265 VERIFICATION OF INCOME (Continued)

63-2265

The EW is responsible for ensuring that all household members, whose receipt of Social Security benefits is verified through BENDEX, sign a Social Security Information Release Form/BENDEX Food Stamp Data Form prior to submission of the request for verification.

If and when BENDEX is approved for California Food Stamp Program use, the Department of Benefit Payments must be informed by a county intending to use BENDEX for verification of Social Security benefits of NA households at least 90 days prior to the initial submission of verification requests.

.5 Verification of Mandatory Deductions

All mandatory deductions must be verified in the same manner as income. Verification of mandatory deductions may be through reference to pay stubs, employer's statements, or similar sources. If the amounts cannot be verified, no deduction will be made. Amounts deductible as mandatory deductions for self-employed individuals will be computed in accordance with Section 63-2324.

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(Pursuant to Government Code Section 11380.1)

63-2300 ELIGIBILITY DETERMINATIONS

63-2300

63-2301 DETERMINING ADJUSTED NET MONTHLY FOOD STAMP INCOME

63-2301

The determination of NA eligibility and the basis of issuance of all households is based on the adjusted net monthly food stamp income and household size.

The income and expenses reported by the applicant will not necessarily be in terms of monthly amounts and it will be up to the EW to convert these sums prior to a determination. In addition, all incomes are subject to varying degrees of fluctuations. To the extent possible, these fluctuations should be resolved to permit the longest certification period permissible. The following techniques are generally available to the EW in determining the household's adjusted monthly income. For application of these principles to specific household situations, see Section 63-2320.

63-2302 INCOME AND DEDUCTION FACTORS

63-2302

The income and expense figures used to determine adjusted monthly income are those anticipated during the certification period. Past amounts are useful as indicators of what may be anticipated in the future, but any changes expected during the certification period must be accounted for in determining adjusted monthly income. For instance, a one-time payment made prior to certification would not be allowed as a deduction during the certification period. However, prior payments made by the household, if likely to continue into the future, may be used to establish the amount to be deducted during the certification period.

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63-2303 AVERAGING

63-2303

The most common means of converting income and expenses to monthly amounts is by averaging. Income received or expenses paid more often than once a month should be converted to a monthly figure by use of a multiplier in the following manner:

- a. Weekly income - multiply by 4.3 or $4 \frac{1}{3}$.
- b. Biweekly income - multiply by 2.15 or $2 \frac{1}{6}$.
- c. Twice monthly - multiply by 2.

Income received or expenses paid less often than once a month may be averaged over the certification period. For instance, interest or dividends credited quarterly would be averaged over the certification period. Likewise, if an annual expense such as payment of a household's property taxes occurs within the certification period, it would be averaged by the number of months in that period. Alternatively, such income and expenses may be handled under provisions in Section 63-2304.

Income and expenses which are reported as monthly amounts, or have been converted to such, can still vary within the certification period. In such cases, the EW may continue to average to arrive at one basis of issuance for the entire certification period or use the method in Section 63-2304. In making this determination, the EW should consider whether the fluctuation is such that a single purchase requirement based on the average would make it difficult or impossible for the household to purchase coupons during the months when usable income is at its lowest level. In such cases, a variable basis of issuance may be appropriate or the household may be assigned certification periods to cover only the periods of stability.

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63-2304 VARIABLE BASIS OF ISSUANCE

63-2304

Subject to county policy, the EW may use the household's actual income and expenses in lieu of averaging even though these amounts will vary from month to month to determine eligibility and basis of issuance. For instance, if it is known in which month a particular expense will occur, such as the payment of a medical expense, that amount may be deducted in its entirety during the month paid rather than averaged over the length of the certification period. The result will be a varying basis of issuance over the period of eligibility reflecting the household's fluctuating cash flow. This method is particularly appropriate in those instances where averaging would require the recipient to pay the same purchase price each month even though he had large expenses for one or more months which would limit his purchasing ability.

63-2310 CERTIFICATION PERIODS

63-2310

The assignment of a certification period to an applicant household is based on the probability of changes in the status of the household. County welfare departments should use the guidelines below in establishing the period of eligibility.

The prescribed periods allowable represent only maximum time periods. The EW should exercise flexibility and assure that the assigned period represents, with consideration of the maximum periods, the time frame best suited to the individual household. A household need not be assigned the same certification period at each new certification, but rather assigned a new period of time based on a new review of the circumstances and needs of the individual household.

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63-2310 CERTIFICATION PERIODS (Continued)

63-2310

Eligibility for program benefits will cease at the end of each assigned certification period. Therefore, each household shall be notified of the expiration date of such period in accordance with Section 63-2351 so that the household may, if it so desires, make timely application for a new certification in order to prevent a loss of benefits.

63-2311 PA HOUSEHOLDS

63-2311

PA-AFDC household eligibility shall be renewed on a yearly basis and shall be keyed to the WR-2 document. However, such a yearly renewal practice must not result in the termination of food stamp benefits for PA-AFDC households whose review of PA-AFDC eligibility is not accomplished as scheduled. Nor can it result in the continuation of food stamp benefits to households whose AFDC benefits have been terminated prior to the scheduled renewal. Review of FSP eligibility of GA/GR households shall coincide with review of GA/GR grant eligibility.

Whenever any review of PA eligibility is made which indicates a grant change sufficient to cause a change in purchase requirement or a change in the number of persons in the household, a desk review (completion of a DFA 285.2) shall be made in accordance with Section 63-2402.

The county welfare department shall establish strict procedures and controls to insure communication is maintained between the PA unit and the food stamp unit for effecting necessary changes whenever there is a separation of functions.

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63-2311 PA HOUSEHOLDS (Continued)

63-2311

Although AFDC eligibility is determined using the prior month budgeting period method, all food stamp eligibility (including PA Food Stamp eligibility) is determined using "current month" or "predictive" budgeting. Therefore anytime food stamp eligibility information is conveyed to the EW by the WR 7 or other means, the EW shall act upon the information promptly (for exception see Section 63-2404) for current or future months. If the EW obtains food stamp information which the recipient is expected to report in writing on his WR 7, the EW shall not wait for this WR 7 to take action.

When PA households are certified using current or predictive budgeting income received is computed using the 4.33 principle and many household changes required by prior month budgeting are not necessary. For example, when a nonessential change occurs, such as the receipt by an AFDC recipient of five paychecks in a month when usually four is received, there has not been a change which requires a revision of the recipient's basis of issuance. If an essential change has occurred, such as a raise in the recipient's per hour wage or hours worked, this change must be evaluated in accordance with Section 63-2403.

In any event, the EW must make a review of food stamp eligibility at the same time the review of continuing PA benefits is made. Households whose PA benefits are to be reduced or terminated shall also be notified that food stamp benefits will also be terminated or reduced, if applicable. However, all households notified of termination of benefits should be further notified that they may make application for food stamp benefits as a NA household.

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63-2312 NA HOUSEHOLDS

63-2312

NA households shall be certified for periods of time based on the stability of income, household composition, and other factors which may affect eligibility. In addition, anticipated changes should be considered in establishing when a new certification is necessary.

The following are maximum periods for NA household certification. The EW may assign lesser periods of time when a review of the individual household circumstances indicates that the household would be better served by assignment of a lesser period, or when assigning a lesser period would promote maximum effectiveness and efficiency of program operations. In addition, the EW may shorten the assigned certification period if a change in household circumstance so warrants (see Section 63-2402).

.1 Normal Certification Periods

The normal certification period for NA households shall be three months, except as follows or when the EW determines that a period less than the maximums set below would better suit a household's individual circumstances.

.2 Unstable Households

Households may be assigned a lesser period than three months when there is a possibility of frequent changes in income and household status; for example, day laborers and migrant workers during the work season whose income is uncertain and subject to extreme fluctuations due to availability of employment, weather, and other circumstances.

.3 Strikers

Households containing one or more persons subject to a lockout or on strike from their source of employment shall be certified for periods not in excess of one month. However, longer periods of certification may be assigned provided the county welfare department has developed a procedure, approved by DBP, which will enable the EW to locate and terminate such households on a timely basis at the end of the strike or lockout.

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63-2312 NA HOUSEHOLDS (Continued)

63-2312

.4 Stable Households

Households may be certified for periods of up to six months if there is little likelihood of changes in income or household status. These households would normally have a stable work and income record and would not anticipate changes which would affect income, including the possibility of large expenses incurred for medical or other allowable deductible items.

.5 Unemployable Households

Households consisting of unemployable persons with very stable income may be assigned certification periods of up to 12 months, providing other household circumstances are expected to remain stable. Such households would consist of those whose total income is received from Social Security or Railroad Retirement benefits, or payments from pension or disability funds.

.6 Self-Employed Households

Households whose primary source of income is from self-employment (including self-employed farmers), or regular farm employment with the same employer, may be certified for up to 12 months, provided that income can be readily predicted and household circumstances are not likely to change. This determination as it relates to farm employment is made in light of the ability of the worker who is regularly employed by the same employer (as opposed to a worker who has a number of employers during a period of time) to control the amount of money available to the household jointly with the employer through prior arrangements, sometimes known as "furnish."

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63-2312 NA HOUSEHOLDS (Continued)

63-2312

In applying this principle, the EW should exercise caution in the assignment of the maximum allowable period if a review of household fluctuations in income over the year indicates that the household would be better served by assignment of a shorter certification period.

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63-2313 SEMIMONTHLY CERTIFICATION

63-2313

.1 A Semimonthly Certification Period May Be Established

Semimonthly certification must not be confused with semimonthly issuance. Semimonthly certification is a method by which the certification period is established at a half-month time period. This time period could be either the period from the first through the fifteenth or the sixteenth through the end of the month. Semimonthly issuance is merely the dispersing of a month's food stamps in two equal installments.

.2 Eligibility for half-month certification is determined by conceptualizing the half-month period as if it were an ordinary certification month, i.e., a calendar month, and applying all the usual eligibility determination procedures. Enter the adjusted net income onto the semimonthly issuance chart, however, to determine purchase requirements. Do a DFA 285.2 budget and clearly label the specific period which it covers. For example, enter "First half-month certification-July," or "Second half-month certification-July."

.3 The major purpose of the half-month certification is to enable applicant households to be certified and brought into the program quickly within the month of application when the family may be in immediate need of food assistance.

.4 Another type of household which may be certified and may benefit by processing of a half-month certification is the already certified Food Stamp household in which a member (who may be receiving UIB) has returned to employment and the household has no income available temporarily pending the receipt of the first paycheck, which has been "held back."

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63-2313 SEMIMONTHLY CERTIFICATION (Continued)

63-2313

- .5 Semimonthly certification for the first half of the month can be given only during the first half of the month and semimonthly certification for the last half of the month can be given only during the last half of the month.
- .6 The county always has the option to issue a full month's stamps to a household which has applied at any time during the month. For example, a household applying on the 22nd of August could be certified and receive stamps for the entire month of August if the certification action and preparing of ATPs took place in August. A household may have been without income for two months prior to applying for food stamps on August 22, and their situation could be one of extreme deprivation. In the above example, this household could be issued a full month's stamps at zero purchase. The decision to go back to the first of the current month is a county option as is the use of the semimonthly certification. In this same example, the county may have wanted to issue a lesser amount of stamps and therefore could have done a semimonthly certification.
- .7 Even though the decision to use the semimonthly certification system is a county option, if the county does decide to use it, the household is entitled to at least a semimonthly issuance. This means that a household set up under semimonthly certification cannot be given only one quarter-monthly issuance but must be given the full one-half month issuance. (A county could, however, at its option, provide two quarter-monthly issuance rather than one semimonthly issuance.)

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63-2313 SEMIMONTHLY CERTIFICATION (Continued)

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- .8 Under semimonthly certification, as in the usual monthly certification period, the income the household anticipates it will receive during the certification period will be taken into account for determination of eligibility and basis of issuance. In addition, the element of availability of the anticipated income is taken into consideration in assigning the purchase requirement and the length of the certification.
- .9 It is not necessary for the household to be at zero income level or have zero assets to be certified under semimonthly certification. Since FNS has no criteria or restrictions on the use of semimonthly certification, an area of choice is given to counties. Some of the most obvious choices are: 1) not using semimonthly certification, 2) using it routinely, or 3) using it selectively; i.e., setting up "county emergency criteria" to determine which households will receive this certification.
- .10 Once the household begins to actually receive income it must be certified on a monthly basis and the use of semimonthly certification must be terminated.
- .11 It is understood that many counties do not have the computer systems capable of generating ATPs that can handle a semimonthly certification. For this reason, a manual issuance system may be most practical. Although the decision to use the semimonthly certification system is a county option, it should be noted that under Section 18906 of the W&I Code (AB 134) counties will have to develop some emergency issuance system. Use of semimonthly certification could well become an important component of a county's emergency food stamp issuance system.

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63-2313 SEMIMONTHLY CERTIFICATION (Continued)

63-2313

Example No. 1

Unemployed applicant John Smith applied on July 7, 1974 for food stamps for himself and his family of seven. Household shelter costs are \$140. He and his family appear eligible but he neglected to bring his pay stubs to the food stamp interview. His family is low on food. Mr. Smith reported the receipt of his final pay check of \$150 on July 1 and expects no further income that month. Mr. Smith finally brings in his pay stubs on July 20, 1974.

Under current regulations the county may have taken any of the following courses of action:

1. On July 20, 1974 the household could have been certified eligible effective August 1, 1974. The "cut off" for certifying eligibility for July 1, 1974 had passed, and, therefore, the county chose to certify the household eligible August 1, 1974. (Most households are certified effective the first of the month following month of application.)
2. On July 20, 1974 the household could have been certified effective July 1, 1974. This could have been accomplished by manual issuance if a machine issuance was not able to complete this action within the July certification month. The household might pay, for example, \$8 for \$256 worth of stamps.
3. On July 20, 1974 the household could have been certified effective for the second half of the month. The family would have received \$128 worth of stamps free.

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63-2313 SEMIMONTHLY CERTIFICATION (Continued)

63-2313

Example No. 2

Unemployed John Jones applies July 7, 1974 for food stamps for himself and his family of seven. He reported that his final paycheck was received June 29, 1974 and he threw away his stub. He does know that he will be eligible for UIB of \$75 per week in August but doesn't expect any income in July since his first UIB appointment is on August 1, 1974. He brings in verification of all his statements on July 8.

Under current regulations the county may have taken any of the following courses of action:

1. On July 8, 1974 the county could have certified the household eligible effective August 1, 1974 (using the predicted income of \$75 per week).
2. On July 8, 1974 the county could have certified the household eligible on a monthly certification basis effective July 1, 1974. The household would have received \$256 worth of stamps at zero purchase requirement for the month of July.
3. On July 8, 1974 the household could have been certified on a semimonthly certification (effective July 1, 1974 through July 15, 1974 - July-First half-month issuance). The household would have received \$128 worth of stamps at zero purchase.

If this option were used the county could also have certified the household eligible for the second half of July on a semimonthly certification (between July 16 and July 31), at zero purchase. If the household on July 20, 1974 reported that it had received a revised notice from EDD establishing a new appointment date of July 31 at which appointment the applicant would receive a UIB check for \$150, the household could still have been certified for the second half of July. See computation below:

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63-2313 SEMIMONTHLY CERTIFICATION (Continued)

63-2313

Income for period 7/16 through 7/31 \$150 (UIB check expected on 7/31)

Total half-month shelter costs \$110

7/16 through 7/31

The household had not paid their
rent (includes utilities) for
July and they promised their
landlord to pay it on the 31st
after receipt of their UIB check.

Therefore, excess housing hardship is \$ 65

Medical Hardship \$ 0

The household pays \$20 p/m medical
insurance and made their payment
on July 7 and consequently can
claim no medical hardship deduction
in this certification period. They
expect to make a \$9 purchase of
medicine on 7-31-74 upon receipt of
the UIB check. This cannot be
allowed as a hardship deduction
because total medical hardship must
exceed \$10 for the certification
period (whether this period is a
month or half-month).

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63-2313 SEMIMONTHLY CERTIFICATION (Continued)

63-2313

Total Income	\$150
Total Hardship Deductions	\$ 65
Adjusted Net Income	\$ 85

Adjusted net income for the certification period is \$85 and checking the income limit chart (this case is nonassistance) we find the limit to be \$853 and the family is obviously eligible. Taking the adjusted net income and looking at the semimonthly issuance table we find the purchase requirement to be \$11 for \$128 worth of stamps.

63-2314 CERTIFICATION PENDING VERIFICATION

63-2314

All households whose income, either prior to or after adjustment, places them at the zero purchase level (see Section 63-2332), and who are determined to be in need of immediate food assistance, may be certified for program benefits pending verification provided that:

- a. The results of the interview indicate that the household will probably be eligible when full verification has been completed; and
- b. One collateral contact, at a minimum, has been made to obtain additional information which will confirm the statements of the applicant. The collateral contact must be made prior to certifying the household as eligible and the results of the contact entered in the case file. The documentation shall consist of at least, the name and address of the person or organization contacted; the name of person supplying the name of the collateral contact, and a summary of the information obtained during the contact. The EW may make more than one collateral contact if necessary, to confirm the statements made on the application.

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63-2314 CERTIFICATION PENDING VERIFICATION (Continued)

63-2314

The certification pending verification shall not exceed one month and there shall be no further issuance to households certified in this manner until full verification is obtained which will confirm the certification action.

The EW shall not certify any household under this procedure more than once during a six-month period, commencing with the initial issuance under this procedure.

Further, households certified under this procedure are not in any way exempt from any eligibility requirement, including, but not limited to work registration for all employable members of the household who are not otherwise exempt by Section 63-2222.

The county at the time of receiving an application for food stamps shall determine whether or not there exists a need for immediate food assistance.

An applicant shall be considered to be in immediate need if it appears, subsequent to interview, that (1) the applicant will probably be eligible when certification is completed, (2) eligibility will be at the zero purchase level, and (3) sufficient liquid resources are unavailable. If it appears that the applicant is eligible for food stamps at the zero purchase level, if his application for food stamps is on file, if at least one collateral contact has been made and if he has completed the work registration document, if applicable, then a preliminary certification for food stamp coupons pending full verification shall be authorized for at least a two-week period and at least one week's issuance shall be granted that same day unless the county acts to provide for the applicant's food needs through county funds or other sources.

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63-2320 ELIGIBILITY DETERMINATIONS FOR SPECIFIC HOUSEHOLDS

63-2320

The following paragraphs explain the application of food stamp criteria and certification procedures to the eligibility determinations for specific households. In some instances the following examples will note a deviation from the general certification procedures. Such exceptions concern households whose receipt of income or other household circumstances are substantially different from the typical food stamp household. The procedural deviations attempt to "normalize" these household situations in order to minimize any undue advantage or disadvantage to the household solely as a result of their unusual circumstances. The primary exceptions provided in the following examples are:

- a. Annualizing the income for certain self-employed (see Section 63-2324) and school employees (see Section 63-2327) instead of considering only that income expected to be received during the period of certification. Likewise, certain student income is averaged over the period it is intended to cover (see Section 63-2328).
- b. Allowing the self-employed and students deductions for certain expenses paid prior to the certification period instead of only those paid during the period of certification.
- c. Requiring residents of drug or alcoholic treatment and rehabilitation centers (see Section 63-2330) to apply for and use food stamps through an authorized representative.

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63-2320 ELIGIBILITY DETERMINATIONS FOR SPECIFIC HOUSEHOLDS
(Continued)

63-2320

- d. Requiring zero purchase households (see Section 63-2332) to provide additional verification of eligibility factors in order to adequately document their unusual circumstances, but also allowing eligibility for immediate assistance pending this verification.
- e. Certifying households even though they include certain ineligible individuals. The income and resources of these households are handled differently depending on whether the ineligible individual is an alien (see Section 63-2331) or an SSI/SSP recipient (see Section 63-2323).

63-2321 EARNED INCOME

63-2321

In cases where the head of the household is steadily employed, income from previous months is usually a good indicator of the amount of income that can be anticipated in the month of application and subsequent months. If information supplied by the household or a collateral contact indicates that future income will differ substantially from the previous month's income, the EW will use such information to make a reasonable estimate of anticipated income. The method used to determine income will be fully documented in the case file.

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63-2321 EARNED INCOME (Continued)

63-2321

When income is received on an hourly wage or piece work basis, weekly income may fluctuate if the wage earner works less than eight hours some days or is required to work overtime on others. In this case the EW should consult with the household to determine the "normal" amount of income to be expected as a result of one-week's work. This amount should be used to determine monthly income.

63-2322 PA RECIPIENTS

63-2322

All income received by PA households, including the federally-aided public assistance grant, a local general assistance grant, any special allowances, and any other income, will be counted in determining adjusted net monthly food stamp income for basis of issuance purposes. Exemptions from income allowed under State PA plans for purposes of grant computation will not be allowed in determining income for food stamp purposes. PA households will receive only the income exclusions and deductions provided in Sections 63-2263 and 63-2264.

Special allowances, including one-time special allowances, shall be included as income unless they are otherwise excludable under Section 63-2263.3 as irregularly received income. If special allowances are included as income, such amounts may be averaged or the household provided a varying purchase requirement or short certification periods to cover the period when the allowance is received as provided in Sections 63-2303 and 63-2304. The same practice may be followed when the PA check is delayed beyond the first month of eligibility as is sometimes the case for households whose PA eligibility has recently been established. If income is averaged over the certification period, the EW should determine if the household has enough cash on hand to

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63-2322 PA RECIPIENTS (Continued)

63-2322

meet the purchase requirement. If averaging income will preclude household participation or will otherwise adversely affect household finances, a variable basis of issuance should be used or a certification period assigned which will allow for a recomputation of purchase price to reflect the actual income situation.

In the case of NA households which contain PA recipients, the above method shall be used to compute PA income which shall then be added to the income of all other members in determining eligibility and coupon basis of issuance.

63-2323 SSI/SSP RECIPIENTS

63-2323

On January 1, 1974, the SSI/SSP program for the aged, blind, and disabled replaced the former federally aided public assistance categories of OAS, AB, and ATD. Due to the specific provisions of law, SSI/SSP recipients require special handling for food stamp purposes.

.1 Definitions

For purposes of Section 63-2323, the following definitions will apply:

- a. "SSI/SSP" means supplemental security income payments made under Title XVI of the Social Security Act, State supplemental payments (SSP) made under Section 1616 of that Act or payments made under Section 212(a) of P.L. 93-66.
- b. "SSI/SSP recipient" means an individual or an individual and his eligible spouse who receives SSI/SSP.

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63-2323 SSI/SSP RECIPIENTS (Continued)

63-2323

.2 Eligibility

Under the provisions of P.L. 93-335, California SSI/SSP recipients receive, as part of their SSI/SSP benefit, the cash value of the food stamp bonus and are therefore ineligible to receive food stamps. SSI/SSP recipients may not be considered household members for food stamp purposes (see Section 63-2102). The county welfare department shall terminate without advance notice any food stamp recipient who applies for and is determined eligible for SSI/SSP. Nonreceipt of SSI/SSP payments does not restore food stamp eligibility. The county welfare department shall not require persons potentially eligible for SSI/SSP to make application for SSI/SSP benefits as a condition of food stamp eligibility.

.3 Treatment of SSI/SSP Recipients

SSI/SSP recipients cannot be considered household members. The income and resources of SSI/SSP recipients cannot be considered available to eligible household members, nor may payments made by an SSI/SSP recipient on behalf of eligible household members be counted as income to the household. However, there are situations where the SSI/SSP recipient receives payments which are specifically meant for meeting the needs of eligible household members. Such payments might include but are not limited to AFDC grants for dependent children, foster care payments, support payments, and payments from trust funds and endowments. When the SSI/SSP recipient is functioning solely in a caretaker or disbursement capacity, the payment must be considered income to the household members it is intended to benefit.

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63-2323 SSI/SSP RECIPIENTS (Continued)

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The EW must exercise care in determining the amount of deductions for households with an ineligible SSI/SSP recipient. Payments made by the SSI/SSP recipient on behalf of the household for deductible household expenses cannot be allowed as a deduction to the eligible household members. On the other hand, when deductible expenses are met from funds for which the SSI/SSP recipient acts strictly in a disbursement capacity, the household is entitled to such deduction.

When eligible household members share deductible household expenses with an SSI/SSP recipient, the household is entitled only to a deduction based on that portion of the expense that is actually borne by the household. If the deductible expense is paid from funds that are pooled by the household members and the SSI/SSP recipient, it might be difficult to ascertain the source from which the payment is made. In this event the EW should make a reasonable division based on discussion with the household.

The principal factor to consider in making a division of expenses paid from funds pooled with an SSI/SSP recipient is whether the deductible expense is solely for the benefit of the members eligible for FSP or whether such benefit accrues to both the eligible members and the SSI/SSP recipient. Medical, school and certain other expenses can usually be linked to specific household members, and the eligible household of which those members are a part should receive the deduction for such expenses unless it can be demonstrated that all or part of that expense is being paid by the SSI/SSP recipient. In the instance of shared housing, the shelter expenses should be divided in

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proportion to the amount of benefits that the eligible members and the SSI/SSP recipient each receive from such payments, unless it can be shown that the shelter costs are being borne entirely or in a disproportionate amount by the SSI/SSP recipient.

.4 Necessary Persons

To be considered a necessary person for purposes of SSI/SSP, the necessary person must live in the home of the recipient and his or her needs must have been considered in the allocation of income so that the grant of the eligible individual was not reduced by the amount allocated under the State PA plan in effect during December 1973. The necessary person must not be eligible for SSI/SSP in his or her own right. When information is available indicating this beneficial allocation of income has occurred in establishing the SSI/SSP grant level, an income value must be assigned to the non-SSI/SSP person who applies for Food Stamps.

In determining the income of a non-SSI/SSP spouse applying for food stamps on his or her own, that portion of the SSI/SSP recipient's payment in excess of the basic federal one-person entitlement of \$146 will be counted as income to the non-SSI/SSP spouse; however, the amount counted may not exceed \$73.

EXAMPLE

An ineligible SSI/SSP recipient with a necessary person as defined above receives an SSI/SSP payment of \$200 (plus other income, part of which was

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allocated to the necessary person in December 1973).

The necessary person has no independent source of income. In this case \$54 (\$200 - \$146) would be counted as income to the necessary person in determining net food stamp income.

EXAMPLE

An ineligible SSI/SSP recipient with a necessary person as defined above receives a SSI/SSP payment of \$220 (plus other income, part of which was allocated to the necessary person in December 1973). The necessary person has no independent source of income. In this case a maximum of \$73 is counted as income to the necessary person, even though the difference between the total payment (\$220) and the basic federal one-person entitlement (\$146) is \$74.

- .5 In those instances when the amount of an SSI/SSP recipient's grant is based on either actual or presumed availability of all or part of the income of household members eligible for FSP, a deduction or exclusion from the income of the FSP household solely on the basis that such sharing occurs or is deemed to exist, shall not be allowed.

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63-2324 SELF-EMPLOYED HOUSEHOLDS

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Households in which one or more members are engaged in an enterprise for gain such as an independent contractor, franchise holder, owner-operator, or operator will have self-employment income but will not necessarily be classified as a self-employed household. The areas of certification affected by the self-employment classification of a household or some of its members are:

- a. Work registration exemptions.
- b. Assignment of certification periods.
- c. Annualization of self-employment income.
- d. Deductions for cost of doing business.

.1 Typical Self-Employment Patterns

Household circumstances will vary greatly depending on the nature of the self-employment enterprise in which it is engaged. The following are typical forms of self-employment:

- a. Households receiving regular income from self-employment.

These households receive income as profit on a fairly regular schedule (weekly, monthly) or draw a certain amount from the business each week or month and may draw the balance of profit from the enterprise at the end of the business year. The self-employed in this category may include small businesses such as grocers, or some farmers such as dairy farmers.

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- b. Households in a service type business. These households also receive income on a fairly frequent basis from the enterprise. However, many times such employment and therefore income may be sporadic in nature. Such enterprises may include craftsmen, certain repairmen or franchise holders, etc., who are working out of the home.
- c. Seasonal self-employment. Many households derive income from short-term seasonal self-employment. Households circumstances in this category will differ depending on whether such seasonal enterprise provides the household support for the year or whether the income is only for that period of time and the household has other sources of income during the remainder of the year. Seasonal self-employment may include vendors who work only in summer or tourist season, certain seasonal farmers or fishermen, etc.
- d. Cash-crop farmers and similarly self-employed. Households in this category receive their annual income from self-employment in a short period of time, and control expenditures in order that these funds will defray their expenses for the next 12 months. Included in this category may be cash-crop farmers and some seasonal farmers where the seasonal income is the household's primary support for the year.

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.2 Work Registration Exemptions

The receipt of income from self-employment, whether it constitutes all or only a portion of the income for the household, does not automatically exempt the member(s) from the work registration requirement. The member(s) must be actively engaged in the enterprise on a day-to-day basis and the EW must determine that the self-employment enterprise does require at least 30 hours of work per week during the period of certification or an annual basis (see Section 63-2222).

In instances where the member(s) hire or contract for another person or firm to handle the daily activities of such enterprise, the member(s) will not be considered as self-employed for the purposes of work registration unless they themselves work in such activity at least 30 hours per week.

The EW shall carefully review the circumstances of households engaged in seasonal self-employment to determine if the 30-hour minimum requirement is met in the off-season. If the seasonal employment averages 30 hours of work per week on an annual basis, the household member(s) so engaged would be exempt from registering even in the nonwork periods. However, if the annual average does not qualify such member(s) for an exemption during the nonwork season, the household member(s) will have to register for work (unless otherwise exempt), although they may be exempt during the work season if they are actively engaged in such enterprise on an average of 30 hours per week over the period of certification.

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.3 Certification Periods

For the purpose of assigning a certification period of up to one year, a household will be considered self-employed when its primary source of income is from such enterprise and this income is received on other than a monthly basis. However, consideration should be given to certifying self-employed households for lesser periods of time if circumstances so warrant. For instance, because of major fluctuations in income due to economic changes, the household may be better served by a three or six-month certification period.

Households with self-employment income which is received on a monthly basis shall be assigned a certification period as any other employed household based on the stability of their employment. If self-employment is not the household's primary source of income, the household shall be assigned the certification period appropriate for its individual circumstances.

.4 Annualization of Self-Employed Income

Households, particularly one-crop farmers, whose income from a self-employment enterprise is received on other than a monthly basis, shall have this income averaged over a 12-month period to determine eligibility when the self-employment income represents their annual support even though it may be received in only a short period of time. Annualization is necessary to determine an average monthly amount equivalent to the cash flow for other food stamp households.

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However, if self-employment income is received on a monthly basis, annualization is not necessary. These households will have their monthly income determined as any other employed household. However, they shall be allowed the deductions for the costs of doing business related to the self-employment enterprise.

.5 Determining Eligibility for Seasonally Self-Employed

Households whose income from seasonal self-employment is supplemented by income from employment and other sources during the balance of the year shall not have their self-employment income annualized. Such income may be averaged only over the period of time actually received. During the balance of the year, the household shall be certified as any other household who receives similar types of income.

.6 Determining Eligibility Based on Annualized Income

To annualize income from self-employment, the EW must first determine the gross amount of income over a 12-month period including capital gains (see Section 63-2324.7). This may be accomplished through a review of past books or records, or in the case of a cash-crop farmer, the gross amount from the most recent sale of his crop.

The allowable costs of the self-employment enterprise will then be calculated on an annual basis to determine the deduction. Allowable costs would include income and self-employment taxes and other costs of producing the income as specified in Section 63-2324.8.

The yearly net income from self-employment will be divided by 12 to arrive at the household's average monthly income from self-employment.

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This average monthly income shall then be added to all other monthly household income. If the household is being certified as a self-employed household (see Section 63-2324.3), medical costs shall be annualized based on expenses from previous years if they are representative of normal costs. If the annual medical costs exceed \$120 per year, the total such cost shall be divided by 12 to arrive at a monthly amount. All other allowable deductions and shelter costs shall be computed as for any other household and subtracted to determine the adjusted monthly income of the household.

Self-employed households may be eligible up to a year based on this adjusted monthly income.

EXAMPLE

A household of four whose income is totally from operation of a farm applies for certification.

Total Gross	\$3,750
Total Taxes	<u>150</u>
	\$3,600

Total Expenses to

Produce Income	<u>1,200</u>
Total Net Income	\$2,400

\$2,400 divided by 12 equal \$200. There are no medical payments or shelter adjustments.

Monthly income used to determine eligibility equals \$200 per month.

This amount of income is used to determine eligibility regardless of the time of application.

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.7 Handling of Capital Gains

In determining the amount of capital gain included in gross income, the net proceeds of sales of capital goods or equipment are to be counted as income, and are not to be treated as capital gains.

The term "capital gains" as used by IRS describes the handling of the profit from the sale or transfer of capital assets used in a self-employment enterprise or securities, real estate, or other real property held as an investment for a set period of time. For the purposes of the IRS, 50 percent of such proceeds is considered as taxable income in determining Federal income tax. However, since the total amount of such proceeds is available to meet the food needs of the household, such proceeds are to be counted as 100 percent of their value for food stamp purposes in determining the gross income of the household.

EXAMPLE

Farmer A purchased a tractor for \$3,000 in 1961. Over a period of 10 years he claimed \$3,000 in depreciation on the tractor. In 1971, he sold the tractor for \$1,000. For income tax purposes, the transaction appears as follows:

Purchase price	\$3,000
Depreciation claimed	<u>3,000</u>
Purchase base	0
 Sale price	 \$1,000
Reported as gross	50%
Taxable income	500

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For food stamp purposes, the entire proceeds,
or \$1,000 would be included as gross income.

Lump-sum payments for the sale of property not connected with the
self-employment enterprise will be treated as provided in Section
63-2253.

.8 Deductions from Gross Income of Self-Employment

Determine yearly net income from self-employment by deducting from
gross annual income any identifiable costs of doing business. Examples
of identifiable costs of doing business are the cost of labor, stock,
raw material, seed and fertilizer. In no case may a loss from
self-employment be deducted from other income.

In determining the amount to be deducted from gross income as costs of
producing income, the following may not be deducted:

- a. Do not deduct payments on the principal of real estate mortgages
on income-producing property. However, interest paid on an
installment contract for the purchase of income-producing
property may be deducted as well as taxes paid on such property.
- b. Do not deduct monies paid to purchase capital assets, equipment,
machinery, and other durable goods. However, if such goods are
purchased on an installment plan, interest paid on such
installment payments may be deducted.
- c. Do not deduct any amount claimed as depreciation for Federal
income tax or other purposes.

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d. Do not deduct any amount claimed as a net loss sustained in any prior period.

For households whose mortgage payments represent an investment in the household's residence as well as investment in income-producing property, the mortgage payment, interest, and taxes will be deductible only as part of the household's shelter costs and not as a cost of producing income. However, if the household can document that costs on that portion of the home used in the self-employment enterprise are separate and identifiable, taxes, interest, and other identifiable costs (but not including payments on the mortgage principal) may be deducted as a cost of doing business.

.9 Initial Certification for Certain Self-Employed

If a self-employed household which receives its income at one time or over a short period of time is eligible, the initial certification period should be assigned which will allow for a subsequent certification at the time the household normally receives all or a majority of its next annual income.

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EXAMPLE

Household received its income in October 1972, but does not apply until April 1973. The computations will still be made based on a one-year cycle. However, since October is the normal month when the household receives its total income, the certification period would be for six months. A new certification would be scheduled to coincide with the month in which the household normally receives all or a major portion of its annual income.

Alternatively, the county welfare department may devise an annual schedule based on verification needs or other administrative necessity. For instance, the county welfare department may prefer to have the annual cycle coincide with the filing of income tax information. In any event, the initial certification period should be adjusted to bring the household into the annual cycle.

.10 Determination of Basis of Issuance

Once the household whose primary source of income is from self-employment is determined to be eligible, the basis of coupon issuance may be determined by using the same average net income as was used to determine eligibility, or the total annual income may be prorated unevenly to match the times when the income is actually received.

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Where money is received as an advance, e.g., Commodity Credit Corporation advances, income may be prorated unevenly to reflect a higher purchase requirement in the month the advance is received. If the prorating system is used, income assigned in any one month to determine purchase requirement cannot exceed the monthly income exclusion scale, and total income used for eligibility must be used for basis of issuance over the period of the year.

EXAMPLE

In the household cited in Section 63-2324.9, the income for eligibility was determined to be \$200 per month. However, upon application in April, six months after income was received, the household states that total monies remaining of the \$2,400 received is \$600. The EW should make every effort, including verification of resources, to determine if that statement is correct. In such case, since \$1,800 divided by six months equals \$300 per month, and since this monthly figure does not exceed the monthly income exclusion figure for a four-person household, the basis of issuance could be based on \$100 per month. However, if the household states that it requires and expects to spend \$500 in the next two months, the total remaining income may be prorated in the following manner: \$250 assigned as income for each of the next two months, and \$25 per month assigned for the remaining four months.

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63-2325 RESIDENT FARM LABOR

63-2325

Resident farm laborers are certified differently depending on whether their primary source of income is from one employer or they receive income from a number of employers throughout the year. The certification periods and handling procedures differ for each category because of the varying predictability of household circumstances.

.1 Single Employer

Farm laborers whose primary source of income is from one employer may be certified for periods up to one year, providing that income can be readily predicted and household circumstances are not likely to change. Such households are normally regularly employed for the entire year and receive a regular monthly salary. In some instances, however, the household is paid for work done only during the work season but resides year-round on the farm and may receive advance or deferred payments (sometimes known as furnish) during the nonwork season. Where advance or deferred payments are not received, the household most likely will have income from another source and should be treated as a multiple employer household in Section 63-2325.2.

The regularly employed and paid farm workers present little difficulty in assigning the predicted income over a 12-month period. Since the income is regular and should not vary from month to month, the monthly income figure may be used to determine the purchase requirement for the entire certification period.

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On the other hand, the EW may experience some difficulty in assigning an income figure to the farm worker whose income is high during the work season and correspondingly low during the nonwork season when income is only from advance or deferred payments. Since the variation in income between the two cycles may be quite substantial, averaging income over the certification period might tend to inhibit participation of such households during the nonwork period of low income. Even if income is prorated unevenly over the certification period to account for such variations, the income figure assigned during the low period might not be truly representative of the actual cash available to the household. For this reason, consideration should be given to certifying the household for lesser periods to take into account the income actually available to the household.

.2 Multiple Employers

Farm laborers who work for a number of employers during the farm work season and also receive income from varying sources during the nonwork season may be certified for up to three months. Such households may be certified from month to month if no readily discernible pattern of income receipt can be detected. Verification of income for this type household is particularly difficult unless a pattern has been established over a certain period of time. When a three-month certification period is assigned to such households, the EW should not average income over the certification period if it would prohibit participation due to substantial fluctuations in the flow of income.

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